HOUSE OF REPRESENTATIVES

SATURDAY, *February 5, 1927*

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art from everlasting to everlasting, hear us as we humbly pray. May we be conscious of Thy sublime goodness and of that great love which wraps a world in its embrace. Oh, may our hearts go out in eager admiration of Him who bade us to love mercy, deal justly, and to walk humbly with our God, the Father of us all. May we never allow indifference or pleasure to dim and deaden our loyalty to His truth. Every life has its burden and every heart has its prayer. Read ours and do what is best for us, and finally bring them to a beautiful fruition. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed Senate bill of the following title, in which the concurrence of the House is requested:

S. 5402. An act to amend the act entitled "An act to provide more effectively for the national defense by increasing the efficiency of the Air Corps of the Army of the United States, and for other purposes," approved July 2, 1926.

The message also announced that the Senate has passed with amendments House bills of the following titles, in which the concurrence of the House is requested:

H. R. 11768. An act to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health;

H. R. 15649. An act to provide for the eradication or control of the European corn borer; and

H. R. 16576. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1928, and for other purposes.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled House bills of the following titles, when the Speaker signed the same:

H. R. 4502. An act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty; and

H. R. 7776. An act for the reimbursement of Emma E. L. Pulliam.

HOUSE BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 12952. An act to authorize the village of Decatur, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa;

H. R. 4502. An act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable, and providing penalty; and

H. R. 7776. An act for the reimbursement of Emma E. L. Pulliam.

SENATE BILL REFERRED

Under clause 2 of Rule XXIV, the following Senate bill was taken from the Speaker's table and referred as indicated below:

S. 5402. An act to amend the act entitled "An act to provide more effectively for the national defense by increasing the efficiency of Air Corps of the Army of the United States, and for other purposes," approved July 2, 1926; to the Committee on Military Affairs.

STATEMENT OF HON. CORDELL HULL, OF TENNESSEE

Mr. HILL of Alabama rose.

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. HILL of Alabama. To ask unanimous consent to extend my remarks in the RECORD by printing therein a statement made by the gentleman from Tennessee [Mr. HULL] on Government expenditures, taxes, and debts.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD by printing a statement of the gentleman from Tennessee [Mr. HULL] on Government expenditures, taxes, and debts. Is there objection?

The was no objection.

Mr. HILL of Alabama. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

GOVERNMENT EXPENDITURES, TAXES, AND DEBT

Mr. HULL. The American people are certainly entitled to know the unvarnished and unmistakable facts about the course and status of Federal taxes, debt, and expenditures as developed during recent years to the present stage. Certain wholly misleading inferences can easily be drawn from the figures presented in the speeches of President Coolidge and Director of the Budget, General Lord, on the evening of January 29. For example, President Coolidge stated that "six years ago the costs of the Government were over $5,500,000,000 * * * and we have reduced the costs of the Government nearly $2,000,000,000, so that they now stand somewhat over $3,500,000,000." The clear inference from this partial statement is that the Harding and Coolidge administrations have been annually reducing the level of expenditures at the rate of $333,000,000 each year. The whole truth is that the expenditures of the Government have been actually increasing since 1924. Omitting public debt and Post Office items, the expenditures were $3,048,677,000 for 1924; they were greater for 1925 and still greater for 1926, while for 1927 they will be not less than $3,077,000,000. What has happened and nearly all that has happened was that for the single year 1922 the reduction of the Army and Navy to a peace basis and the discontinuance of appropriations for the railroads and a portion of those of the Shipping Board permitted a permanent reduction of the level of expenditures in the amount of near $1,750,000,000, so that the total appropriations for 1922, omitting public debt and Post Office items, were $3,372,607,000. If we take the expenditures for the five years, 1922–1926, inclusive, the total reductions have been only $275,000,000, or an average of $55,000,000 a year. This is a vastly different picture of reductions from that presented by the President.

To leave no room for controversy, the following are the total annual expenditures of the Federal Government for the years mentioned, excluding debt and post-office expenditures, and taking the Treasury estimates for 1927 and 1928:

Fiscal year:	
1922	$3,372,607,000
1923	3,294,627,000
1924	3,048,677,000
1925	3,063,125,000
1926	3,097,611,000
1927	3,077,545,000
1928	3,008,891,000

President Coolidge further states: "The total taxes have been reduced about $1,500,000,000—this is a saving of $5,000,000 for each working day." The inference is that the Federal tax burden of the American people has actually been reduced by $1,500,000,000. This is in no sense what has happened. The tax receipts of the Federal Government for 1922 were $3,569,696,000, while for 1926 they were $3,417,369,000, or a reduction of the total burden of $152,000,000, in contrast with the implications of President Coolidge's figures of $1,500,000,000. President Coolidge would have been far more accurate had he stated that tax rates have been reduced as the income mainly of certain corporations have increased, so that the total tax burden since 1922 has been kept virtually at the same level. The actual amount of customs and internal revenue receipts of the Treasury for the years 1922 to 1928, taking the Treasury estimates for 1927 and 1928, are as follows:

Tax receipts:	
1922	$3,569,696,000
1923	3,186,401,000
1924	3,340,792,000
1925	3,136,737,000
1926	3,417,369,000
1927	3,427,485,000
1928	3,260,785,000

General Lord, speaking with the President on the evening of January 29, said: "The World War debt on August 31, 1919, reached its most portentous proportions—$26,596,701,000. December 31 last it had dropped—not dropped, but brought down—to $19,074,665,000, a reduction in seven years of $7,522,000,000." The public is naturally left to infer that the Harding and Coolidge administrations are entitled to most or all of the credit for this seven and one-half billion dollars debt reduction. The literal truth is that this war debt had "dropped" to $24,051,000,000, or $2,545,000,000, on February 28, 1921, under the Wilson administration. It is equally true that the Wilson administration turned over to the Harding and Coolidge administrations realizable cash assets aggregating over $2,250,000,000, including back taxes, surplus property, assets of War Finance Corporation, Railroad Administration, and interest and principal on foreign debts. Fully this amount has been collected and applied to the debt. In other words, the Wilson administration supplied the money or its equivalent for the payment of more than $4,800,000,000 on the war debt of the Federal Government, while the Harding and Coolidge administrations, to December 31 last, raised the money and paid less than $2,750,000,000 on the debt.

Summing up the true situation, the uncontroverted facts are that Federal expenditures were only reduced $275,000,000 from and including 1922 to 1926; the burden of Federal taxes have only been reduced

$152,000,000 for the same five-year period, and both the Harding and Coolidge administrations have only reduced the public debt from money they raised in the sum of $2,750,000,000. I would not deny these administrations full credit for what they have actually accomplished in each of these three lines, but it is due the American people that the true facts should be known. I challenge contradiction of the figures cited.

DESIGNATION OF SPEAKER PRO TEMPORE ON SUNDAY, FEBRUARY 6

The SPEAKER. The Chair designates the gentleman from Illinois [Mr. BRITTEN] to preside to-morrow at the services in memory of the late Representative CHARLES E. FULLER.

TAX ON PASSAGE TICKETS

Mr. BACHARACH. Mr. Speaker, I call up privileged bill H. R. 16775.

The SPEAKER. The gentleman from New Jersey calls up a privileged bill, H. R. 16775, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16775) to limit the application of the internal-revenue tax upon passage tickets.

Mr. BACHARACH. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. EDWARDS. Reserving the right to object, Mr. Speaker, what is this bill?

Mr. BACHARACH. This is a bill dispensing with the internal-revenue tax upon passage tickets.

Mr. EDWARDS. I have no objection.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That under regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, the provisions of Title VIII of the revenue act of 1926 imposing a tax on passage tickets shall not apply to any round-trip passage ticket issued to any individual if—

(1) Such individual is certified, by such national officer or officers of the American Legion and in such form and manner as the Commissioner of Internal Revenue may be regulations prescribed, as authorized to participate in the 1927 National Convention of the American Legion or of the American Legion Auxiliary, to be held at Paris, France; and

(2) The eastbound portion of the passage covered by the ticket is upon a vessel certified, by such national officer or officers of the American Legion and in such form and manner as the Commissioner of Internal Revenue may by regulations prescribe, as having been designated by the American Legion France Convention Committee as an official ship, and such vessel is scheduled to sail on or after June 1, 1927, and not later than September 15, 1927.

The SPEAKER. Without objection, the Clerk will correct the last word on line 10, changing the word "be" to the word "by." Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BACHARACH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. HOWARD rose.

The SPEAKER. For what purpose does the gentleman from Nebraska rise?

Mr. HOWARD. For the purpose of offering a resolution and asking unanimous consent for its immediate consideration.

The SPEAKER. The gentleman from Nebraska offers a resolution and asks unanimous consent for its immediate consideration.

Mr. BEGG. May I inquire if this is a personal-privilege resolution?

The SPEAKER. No.

Mr. BEGG. Then I make the point of order that that is not the regular order of business.

The SPEAKER. Objection is heard.

Mr. HOWARD. I would like to have the resolution read. Then I will not say anything more if the gentleman objects.

Mr. BEGG. I call for the regular order.

The SPEAKER. The gentleman from Ohio objects.

ERADICATION OF THE CORN BORER

Mr. PURNELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 15649, with a Senate amendment, and agree to the Senate amendment.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the bill H. R. 15649, with a Senate amendment, and agree to the Senate amendment. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15649) to provide for the eradication or control of the European corn borer.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

ISSUE OF BONDS BY THE TOWN OF FAIRBANKS, ALASKA

Mr. DOWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11843, with a Senate amendment, and agree to the Senate amendment.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 11843, with a Senate amendment, and agree to the Senate amendment.

Mr. DOWELL. I ask that the Senate amendment be read.

The SPEAKER. The Clerk will report the bill by title, with the Senate amendment.

The Clerk read as follows:

A bill (H. R. 11843) to authorize the incorporated town of Fairbanks, Alaska, to issue bonds for the purchasing, construction, and maintenance of an electric light and power plant, telephone system, pumping station, and repairs to the water front, and for other purposes.

The Senate amendment was read.

Mr. RANKIN. I would ask whether or not the Delegate from Alaska [Mr. SUTHERLAND], who introduced this bill, was consulted with reference to this amendment?

Mr. DOWELL. He has seen it and accepts it.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

ISSUE OF BONDS BY THE TOWN OF WRANGELL, ALASKA

Mr. DOWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10900, with a Senate amendment, and agree to the Senate amendment.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 10900, with a Senate amendment, and agree to the Senate amendment. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 10900) to authorize the incorporated town of Wrangell, Alaska, to issue bonds in any sum not exceeding $30,000 for the purpose of improving the town's waterworks system.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

Mr. EDWARDS. Mr. Speaker, reserving the right to object, I would like to ask whether this bill takes any money out of the United States Treasury?

Mr. DOWELL. It does not. It is merely an authorization for this city to issue bonds for the purpose of purchasing its water supply.

Mr. RANKIN. And this amendment is also agreeable to the Delegate from Alaska, is it?

Mr. DOWELL. It is; yes.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16863) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the considera-

tion of the bill H. R. 16863, the legislative appropriation bill, with Mr. TINCHER in the chair.

The Clerk read the title of the bill.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield myself 45 minutes, and I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DICKINSON of Iowa. In a recent editorial in the Washington Post comment was made with reference to a paragraph in my statement on the floor of the House on farm relief legislation under date of January 15.

Mr. LINTHICUM. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Maryland makes the point of order that there is no quorum present. The Chair will count.

Mr. LINTHICUM. Mr. Chairman, I withdraw the point of order.

Mr. DICKINSON of Iowa. In a recent editorial in the Washington Post comment was made with reference to a paragraph in my statement on the floor of the House on farm relief legislation under date of January 15. This statement with reference to the development of a surplus of foodstuffs in Ohio and other Western States and the failure of the Eastern States to indorse in the beginning the protective-tariff policy for the protection of manufacturing industries. The editor of the Post implies that I did not tell the whole story. This may be true, in view of the fact that had I told the whole story my position would have been twice as strong, as suggested in my previous statement, and the position of the editor with reference to tariff sentiment absolutely disproven. I do not think it is anything exceptional to disprove the accuracy of Washington Post editorials. [Applause.]

The Post editorial suggests that the tariff of 1824 was not sufficiently protective for the manufacturing interests of Massachusetts. The entire debate in the tariff discussion leading up to the passage of the tariff act of 1824 proves the contrary.

In the final vote on the passage of the tariff act of 1824, the principal advocate thereof being Henry Clay, of Kentucky, the sentiment expressed by the votes of the various States with reference thereto is shown in Taussig's Tariff History of the United States, on page 70:

> The stronghold of the protective movement was in the Middle and Western States of those days—in New York, New Jersey, Pennsylvania, Ohio, and Kentucky.

In those days the New England States came down to the Hudson River. They were the States east of that line.

> They were the great agricultural States; they felt most keenly the loss of the foreign market of the early years of the century and were appealed to most directly by the cry for a home market. At the same time they had been most deeply involved in the inflation of the years 1816–1819 and were in that condition of general distress and confusion which leads people to look for some panacea. The idea of protection as a cure for their troubles had obtained a strong hold on their minds.

The same author on page 71 states:

> In New England there was a strong opposition to many of these demands. The business community of New England was still made up mainly of importers, dealers in foreign goods, shipping merchants, and vessel owners, who naturally looked with aversion at measures that tended to lessen the volume of foreign trade.

On page 72:

> In 1824 Massachusetts was still disinclined to adopt the protective system, and it was not until the end of the decade that she came squarely in line with the agricultural States on that subject.

In looking up the roll call on the passage of the tariff act of 1824 you will find Massachusetts divided, Connecticut divided; that the votes for the bill came largely from New York, Pennsylvania, Ohio, New Jersey, and Kentucky; and that votes against came from Virginia, North Carolina, and Maryland. In the annals of Congress, with reference to the tariff act of 1824, there is also found resolutions remonstrating against the tariff bill from the chamber of commerce of the city of Boston, Mass., New Haven, Conn., New York City, and Philadelphia, and many other civic organizations, and then the editor of the Post says that the schedules for 1924 were not sufficiently protective to satisfy the New England demands. Nothing could be further from the fact with reference to tariff history.

After the passage of the tariff act of 1824 and the inauguration of the American protective system Henry Clay became a candidate for the Presidency and was opposed by Adams, Jackson, and Crawford. The election resulted in no choice. Ohio did not help nominate Adams, but Ohio in the House of Representatives with the votes from Kentucky controlled by Clay did assist in making Adams the choice of the House of Representatives, and this resulted in the charges that the election had been bought with the promise that Adams be selected President and that Henry Clay be made Secretary of State. This cry of bargaining and corruption was carried through the campaign of 1828 and resulted in the election of Jackson. Between 1824 and 1828 textiles were rapidly extending in the New England States, and it was the woolen schedule in the 1827 act that forced Massachusetts into line for this bill and caused some of the Western States to vote against the same. It was a conflict between the wool producers and the wool manufacturers. The result of the tariff fight of 1827 resulted in a renewal of the fight in 1828, and we now find that the New England States are holding mass meetings and memoralizing Congress to increase the woolen schedules, and behind the woolen schedules we find the vote of the Massachusetts delegation in the year 1827, it being the first time that Massachusetts had ever lined up in support of a tariff measure. Tariff agitation started in 1816, and again I say it took 10 long years to cram down the throats of the New Englanders the theory that a protective tariff would help the people of that section.

I have made these few remarks for the purpose of showing to the House that I was not in error in making my original statement in reference to the protective-tariff system of this country.

Now I want to talk with reference to the sentiment in New England to-day and I want to show you what I have found that sentiment to be after having spoken twice in the State of Massachusetts just recently.

The present sentiment in the New England States against farm relief legislation is largely due to the fact that in New England they buy dairy feeds and are therefore fearful of the increase in the cost of feeds in the dairy business. In my judgment this apprehension is unfounded. First, the price of dairy feeds according to all statistics fluctuates with the price of dairy products and not with the price of grains. During the past few years, when the price of grains has fluctuated up and down by reason of ruinous margins, the price of dairy feeds has steadily followed the price of dairy commodities. Therefore, the dairyman of the New England States ought to realize that in purchasing his feed he is paying "what the traffic will bear" rather than the cost of the grains in the feed; second, the continuous depression in the price of grains, particularly feed grains, is gradually driving the mid-western States into the dairy business.

There is now being delivered into Springfield, Mass., fresh cream and milk, from the State of Wisconsin, in carload lots. It would be better for the dairyman of the New England States to permit a reasonable increase in the cost of grains, particularly a stabilized price, rather than to be compelled in the future to face the competition of the mid-western States in the dairy business. Under the present system he has no way by which he can avoid such competition.

By reason of our present transportation system we can transport fresh milk and fresh cream long distances, and for that reason Massachusetts and the New England States are put in direct competition with the dairy-producing States of the Middle West.

Yesterday the gentleman from Minnesota [Mr. NEWTON] attempted to leave the impression here that we could go on increasing the amount of dairy products in this country indefinitely and we would never have a surplus of dairy commodities. But such is not the case. Missouri is increasing her dairy products every year; Iowa is increasing her dairy products every year; and all of the States of the Middle West are gradually increasing their dairy products, so that last year we found the country getting up to the maximum and we found an increase in the tariff necessary from 8 to 12 cents per pound on butter in order to protect the dairy interests of this country. I say that the man who thinks you can diversify into the dairy business in the Middle West and thus save the present farm problem is wrong, because as soon as you increase those products and get a surplus in dairy commodities you have harder commodities to handle than grain, pork products, or any of the various commodities covered in this bill.

I now want to get down a little nearer to the present-day phase of this problem, but before proceeding further I think I ought to make reference to an article that appeared in a famous New England farm journal whose advice, I presume, the New England farmers are supposed to take. The Hon. DAVID I. WALSH, a Senator from the State of Massachusetts, put in the RECORD a few days since an editorial as to what this famous bill would do with reference to the New England farmer. This

is found in the CONGRESSIONAL RECORD of January 28 last, at page 2429.

The first statement is—

Tax every pound of wheat, corn, rice, cotton, and pork produced in the United States any amount the bureau fixes.

What a ridiculous statement—any amount the bureau sees fit to fix. I presume, carrying out this logic, the Interstate Commerce Commission could absolutely fix railroad rates at any amount they wanted to fix. Why, of course, you know that they are barred and limited as to just what they can levy the equalization fee for; as to just what the purpose of the equalization fee is for; as to just what scope they can use the equalization fee for; and the editor of the New England Homestead made that statement for no other purpose than to prejudice the people of his section of the country with the thought that we are trying to put over something that is far-reaching and unreasonable and unwarranted.

Now, what is his second item?

The tax to be inescapable and to be included in the price paid by each consumer of these products.

Well, the equalization fee is going to be inescapable and should be, because every man ought to pay his pro rata share, but there is absolutely no man on the floor of this House who has ever been able to make the statement and prove it that an increase in cost to the consumer followed an increase in the cost of the raw products of that commodity.

Mr. ELLIS. Will the gentleman yield?

Mr. DICKINSON of Iowa. I am not going to yield. I am going to go through with this statement, and then if I have any time left I will make some more statements, and probably will not yield then. [Laughter.]

In other words, we find that they are now advertising that this will increase the cost of a loaf of bread from 2 cents to 4 cents. I would like to have any man go back through the statistics and show us that when they reduced the price of wheat out in the Northwest and in the Southwest they ever reduced the price of bread one single, solitary cent. The price of pork chops did not follow the price of livestock out in the Middle West during the deflation days. It is absolutely unwarranted to make any such assertion as is made in this New England Homestead.

3. Prices of these products also are to be dictated by the bureaucrats, since through their taxing power and control over the revenues from such taxation plus their control of $250,000,000 given to these dictators by Congress to thus "stabilize" prices the bureau controls the rate at which supply may be marketed.

Now, as a matter of fact, the bureau does not fix the rate. As a matter of fact, the agency which is composed of the cooperatives under the organization fixes the price and fixes the rate. This is absolutely a misstatement that can not be justified by the terms of the bill.

4. Any surplus of these crops not sold at the dictated prices may be dumped upon foreign markets for what it will fetch.

Dumped upon foreign markets? Under the McNary-Haugen bill the surplus will be marketed more orderly than it is marketed at the present time. Why? Because under the present situation speculators and foreign exporters handle these commodities solely for their own financial benefit, while under the proposed bill the board that is to be appointed under the bill would be bound, if you please, to market the commodity at the very best available terms, which would mean gradually feeding it into the foreign market on a business basis; and this New England editor is not justified in saying we are going to dump anything anywhere under any conditions.

6. The ostensible purpose is to force domestic consumers to pay 50 per cent more for flour—

And so forth.

I do not know how easy it is to deceive the people of New England. I do not know how many of them are going to swallow any such statement as the one put in this farm paper. I do not know whether this farm paper in New England has the same reputation among consumers up there that the Washington Post has here in Washington, but I do know that there is practically nothing in this editorial that you would be justified in believing, because it does not follow the terms of the bill at all. There is not a single, solitary conclusion found in this article that is justified under the terms of the bill.

I am now coming to a matter that is just a little more far-reaching. The gentleman from Georgia has introduced what is known as the Crisp bill. The gentleman said he had a copartner, and after reading his bill very carefully, and after reading the minority report prepared by the gentleman from New Jersey, I am thoroughly convinced that the gentleman ought to have said that the gentleman from New Jersey is his side partner in this whole operation.

I notice that in his first bill he used the expression "a world surplus," and then after bothering with that a little while the gentleman came in and amended his bill and took out the words "surplus above or beyond world requirements."

The Crisp bill, as amended, is still a world surplus bill, and the whole machinery is set up with reference to world surpluses, and for 111 years, ever since the tariff act of 1816, we have had protected industry in this country, and we have gloated, if you please, that we were maintaining a scale of wages and a scale of living in this country above the standard of living and the scale of wages in the old countries.

We had a domestic price under the protective tariff system, and for 111 years the system has been carried along, and all of that time the producers of the world's cotton and food products have been dealing in world markets. Never before in the history of this country—and I measure my words well—has anybody had the courage to come in and say to the farmers of this country, "From now on you are to operate under the world conditions and we are going to operate under protective domestic conditions." Never before has it been suggested that our farm price of raw commodities shall be fixed on a world basis, and fixed by a national act of Congress. I want to say to you that if New England wants to take the Crisp bill and vote for it as a substitute for the McNary-Haugen bill, New England is going to be put into the hands of men who want to revise the tariff downward, the best argument they ever had for such revision.

Now, if we adopt the world's surplus for the farmer, we will have to adopt it for all the industry and go on a similar basis. Under these conditions I contend that men that vote for the substitution of the Crisp bill for the McNary-Haugen bill are voting to make our agriculture subservient to world prices from now on, because the world's surplus, the world price, dominates the whole machinery under the Crisp bill.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. DICKINSON of Iowa. No; I have refused to yield several times, and I can not yield to the gentleman.

Mr. NEWTON of Minnesota. I yielded several times yesterday to proponents of the Haugen bill.

Mr. DICKINSON of Iowa. Yes; and I yielded the gentleman the time.

Mr. Chairman I refuse to yield.

I will give the gentleman from Minnesota an opportunity a little later after I have paid my compliments to the statement of the gentleman from Minnesota. I may consider yielding a minute or two to see if he has anything to say for himself.

Now, following out the proposition I have presented to you here, I find the farm organizations in their report that was attached to my statement of January 15 made this finding:

Crisp bill boldly stands on the proposition that the world prices shall rule the American market.

That is the thing that we have been trying to get away from in this country during our entire existence.

The farmers of this country only survive because they had increase in land values, fertile soil, in the early days, and general conditions favorable to them, but now they come in under the Crisp bill and say that legislatively we will tie you up to the world market from now on.

OVERPRODUCTION

I was very much interested in the statement of the gentleman from Georgia on overproduction.

I was very much interested in his definition of a surplus, and after he got through with his definition of "surplus" it was just as clear in my mind as mud. As a matter of fact he failed to define surplus, and now he has left a chaotic condition in his bill. We do not know what a surplus is, and I presume it would take 25 years to find out what it means.

Then he comes down to the question of overproduction. I do not know whether he is a disciple of Ed Meridith or not. Meredith has the view that if you fix the price you fix the production. That is absolutely untrue. The price does not control the production. That is the reason why the Meredith claims have never been found practicable, and now we come down to where the gentleman from Georgia says if you limit the acreage you will fix the production. He says if you increase the acreage from one year to another, you are not to have the benefit of this legislation. What does that mean? Iowa acreage in her corn runs along 10,000,000 acres per year, varying hardly 10,000 to 25,000 or 50,000 acres a year. We find that our production increases and decreases from 300,000,000 to 500,000,000 bushels, depending entirely upon the crop, and when it

comes to the matter of surplus in corn, the Iowa farmer usually has mighty little to do with it. Acts of providence do it, a favorable season or an unfavorable season, favorable conditions or unfavorable conditions, lack of rain or plenty of rain to mature the crop, and now the gentleman from Georgia [Mr. CRISP] comes along and says, "Oh, if you have an increase in acreage, you can not have the benefits of this legislation."

Mr. Chairman, acreage is not a certain or accurate yardstick by which you can measure production. Production varies sometimes 40 per cent, sometimes 50 per cent, sometimes 60 per cent on exactly the same acreage. Kentucky raises on the whole about 3,000,000 acres of corn. Her yield is low. Iowa as a rule raises about 10,000,000 acres of corn, and yet if Kentucky had a poor year in tobacco and the next year those people down there would increase their acreage of corn 500,000 acres, then this board, under the machinery set up in the Crisp bill, would go out to Iowa and say, "Well, you fellows are not to blame for it, but the law says that if the acreage is increased you can not have the benefits of the bill." As a matter of fact, that part of the legislation can not be supported.

Next, I wonder if the board under the Crisp bill would be any wiser than the board under the Haugen bill. The funny part of this thing is the fact that it seems, according to the minority report of the gentleman from New Jersey [Mr. FORT], and according to the statement on the floor made by the gentleman from Georgia [Mr. CRISP], that the board under the Crisp bill will be all wise, and it will be well informed, whereas the board under the Haugen bill will be absolutely bent on ruining the whole machinery. There is absolutely no reason for assuming that the board under one bill will be a bit better or wiser or composed of better business men than the board under the other bill. Therefore, I do not think they should try to make angels out of one board and spendthrifts out of the other.

I shall insert here a statement on overproduction. I quote from the statement of the gentleman from Ohio. Decrease in prices has no tendency to materially decrease the acreage in some commodities. The matter of acreage depends largely upon conditions outside of the price regulations. Take a good farmer. If he is getting a dollar for his corn and he finds that he needs only a certain amount to carry him along on his farm, he is very apt to put the other acreage in grass, where he does not have to work so hard or hire a man, and in that way he will not have an overproduction, because he wants largely to sum up the returns on his farm, and he fixes his effort according to what his returns will be. The following statement on overproduction I think is quite convincing:

Those who fear that profitable farming will be followed by disastrous overproduction overlook or disregard the following facts and commonsense reasoning:

1. The overproduction argument against surplus-control legislation is based on the theory that high prices bring increased acreage and low prices result in decreased acreage. Then it should follow that stable prices will mean stable acreage.

2. It is obviously inconsistent, not to say insincere, for those who advocate cooperative marketing and voluntary limitation of production by farmers to oppose surplus-control legislation on the ground that it will cause overproduction. The effect of profitable prices on production will be the same whether they are the result of cooperative marketing, voluntary reduction, or surplus-control legislation.

If these objectors would be consistent, they should oppose cooperative marketing and voluntary restriction of production for the same reasons they urge against surplus-control legislation, namely, disastrous overproduction resulting from profitable prices.

3. Our farm acreage and production alike are falling steadily behind per capita of our population.

This decline will not be checked until farm prices increase so greatly and for a sufficient period of time to make farming so attractive that it will draw capital away from other forms of productive investment.

4. With a large class of farmers, low prices are as potent as high prices in increasing acreage. With taxes, mortgage debts, interest, and living costs fixed, this class of farmers increase acreage of cash crops to the limit when prices are low as the only available means of paying their obligations. Gov. Frank O. Lowden, himself a farmer, in discussing this point in a recent speech, said:

"If the farmer's taxes and interest and the bare necessaries of life for himself and his family require a cash outlay of $2,000, and prices are low, he must push his acreage in cash crops to the limit, with the hope of securing the $2,000 which stands between him and bankruptcy. Acting as an individual, he can not do otherwise. The more desperate, therefore, the financial situation of the farmer is, the more is he inclined to maximum production until he reaches the very end of his resources."

5. Prosperity will no more tempt the farmer to overwork than short hours and good wages have tempted union labor to overwork.

Time and a half and double time for overtime and holiday work has not led labor to abandon the eight-hour work day. Instead, the well-paid laborer has employed his free time in recreation and self-improvement.

In like manner, when farmers are prosperous, they will give more time to recreation and self-improvement, to fixing up their homes, and making them more attractive, rather than to putting in a few more acres of cash crops to pay taxes and debts.

So much for reason and common-sense theory. Let us examine the officially recorded facts concerning price and acreage of wheat and see if it supports the assertion that price alone controls acreage and that profitable prices will bring serious overproduction.

During the decade 1880–1889 the December farm price of wheat averaged 83.4 cents per bushel, and the acreage during the last year of the decade (1889) was 33,580,000 acres. During the following decade 1890–1899, the December farm price of wheat averaged 65.1 cents per bushel, or 22 per cent lower. Following the "overproduction" theory, one would expect to see the acreage of wheat fall off correspondingly, but the reverse was true. The wheat acreage during the last year of the decade (1899) was 52,589,000, an increase of 57 per cent over the acreage of 10 years before, when the price was higher. Through the following decade (1900–1909) the December 1 farm price of wheat averaged 76.7 cents per bushel, an increase of 18 per cent above the average price of the preceding decade; but the acreage, instead of showing an increase, decreased to 44,262,000 in the last year of the decade (1909), a drop of 15 per cent.

During the five years—1910–1914—the average weighted price of wheat dropped from $1.01 in the season of 1909–10 to $0.793; in the season of 1913–14 a decline of 21.4 cents per bushel; but the acreage went the other way, and increased from 45,681,000 in 1909 to 53,541,000 in 1913, an increase of 8,860,000 acres.

The foregoing figures are taken from Statistical Bulletin No. 12, "Wheat and rye statistics," published by the United States Department of Agriculture, January, 1926, and the December, 1925, monthly supplement of Crops and Markets issued by the same department.

The lesson of these figures is that influences other than price affect the acreage of crops, as for illustration, the appeal to the patriotism of farmers to increase production of food crops during the war years.

But acreage alone does not determine volume of production. Weather, insect pests, and plant diseases may reduce the acre yield and result in a given acreage producing a larger crop in one year than a larger acreage will produce in another year. Very good evidence on that point was presented by Mr. BRAND of Ohio during the debate on the Haugen bill in the first session of the Sixty-ninth Congress. Mr. BRAND heard Mr. FORT's speech and decided the only real point made in it was that, since farmers are now producing a surplus at a loss, therefore they would swamp us in wheat if the price were advanced. Mr. BRAND said:

"Now, I want you to listen carefully, because this is basic and fundamental in this debate; from 1913 to 1915, inclusive, we produced on an average in the United States 893,399,000 bushels of wheat per year for the three years. We got for it 90.1 cents a bushel. Now, in the next five years—those were the war years, 1916, 1917, 1918, 1919, and 1920—the next five years we produced in those years at the price of $1.84, or an average of twice what it was in the three years previous. What did we produce? We produced 799,083,000 bushels a year, or nearly 100,000,000 bushels a year less than we produced at half the price. * * * Now, after 1920 the price went down. What happened to the yield? According to Mr. FORT, the yield would immediately go down. It would not be attractive to the farmer. In the five years following 1920 we produced 802,364,000 bushels a year, or 3,281,000 bushels more each year than we produced during the era of war prices. We actually increased the yield when the price went down, and we actually decreased the yield when the price went up.

"Gentlemen, that is the history in 13 years of wheat growing. Now, there is some psychology here that the gentleman from New Jersey [Mr. FORT] does not understand. Let me talk to you people about labor. Twenty-five years ago labor was working 12 hours a day, from morning to night. Labor worked 12 hours a day, and then something happened 25 years ago, and we gave them more pay. They were offered more pay per hour. Did they work more hours and produce more? No. We all know that they reduced the hours that they worked to 10. Then we raised their wages again for some reason or other. What did they do? Did they work more? No. They reduced their hours and asked Congress to reduce their hours to 8; and now they are thinking of going to 6. Now, what is the lesson of all this? Gentlemen, I say to you that when an average man can make a living and be comfortable he is willing to rest and take recreation and improve himself and his family."

The existence of a downward trend in agricultural production is unmistakably shown by the startling fact that the wheat acreage in the United States in 1925 was 389,000 acres less than it was in 1899, although the population during that period increased from 74,799,000 to 115,378,000.

A great deal was said, both in the remarks of the defender of the Crisp bill and in the minority report, about the relative

effect of the committee bill and this Crisp bill upon production. At the present moment I merely want to make this comment: The Haugen bill makes every grower who contributes to the production of a surplus responsible with other growers for taking care of it through the equalization fee. The Crisp bill would permanently relieve the growers of this responsibility and fasten it instead upon the Treasury of the United States.

Which bill, I ask you fairly, is economic? Which is sound? The one which makes the industry responsible for its own stabilization or the one that makes the Treasury responsible for it?

There is only one way for opponents of the committee bill to answer that question, and they have not hesitated to take it, even though by so doing they leave themselves in an indefensible position. They say "Oh, yes; but you are going to raise prices out of all reason with the Haugen bill. You are not going to have any sense in the way you operate under your plan, while under our plan we will have a wise board. It will not raise the farmers' prices, but instead will fix prices so low that the farmers will have to quit producing under them."

I challenge as totally unsupportable the assertion that the board under the Crisp bill would be possessed of any better judgment or superior resources than the board provided in the bill recommended by the committee. I do assert that the provision of drawing the operating funds under the Haugen bill from the industry benefited is infinitely preferable to drawing them from the Treasury as under the Crisp bill.

And I want to say further that if the object of the Crisp bill is to fix prices of cotton so low that the southern farmers will have to quit growing it, then I see no reason why Congress should legislate to speed up the starvation process.

Next we come to the matter of price fixing. Here we come again to some famous definitions in the Crisp bill, and the definition that we have this time is with reference to an efficiency producer. It is an amendment to the old bill, and is inserted in the new bill to define what the cost of production is. It is found on page 16 of the bill, paragraph (5). It is as follows:

(5) The cost of production to efficient producers shall be estimated by excluding the costs of the highest cost producers whose production is not required to supply the amount needed for domestic consumption, together with the further amount represented by the average of the three previous years' exports of the commodity or the products thereof.

The most remarkable new feature in the second Crisp bill is paragraph 5 in section 19, which is the attempt to write into the bill a rule for the board to follow in dealing with the "cost of production to the efficient producers." The words "attempting to define" are used advisedly, because, while paragraph 5 appears in the section devoted to definitions, it, in fact, does not constitute a definition of the term which is probably the pivotal point in the bill.

The paragraph above referred to says "the cost of production to efficient producers"—which is the price-fixing measuring stick of the Crisp bill—"shall be estimated" in the following manner: "by excluding the costs of the highest cost producers."

Now, who are the "highest cost producers"? This paragraph defines them as producers "whose production is not required to supply the amount needed for domestic consumption," and "the further amount represented by the average of the three previous years' exports of the commodity or the products thereof."

It takes a little study to see what this means, and then no one will ever be sure. Apparently, the thought is that "cost to efficient producers" is a cost high enough to include all that production which meets our normal domestic requirements plus our average exports. For example, if that means 14,000,000 bales of cotton, then it means the cost of production which is high enough to cover the highest cost involved in producing those 14,000,000 bales.

If the production exceeds the normal domestic requirements plus the average of exports, then the amount in excess of the 14,000,000 bales shall be considered the "production of high-cost producers," and therefore shall be eliminated by the board in estimating the "cost of production to efficient producers."

This merely raises the question of how the board is going to determine who are the producers who grew that excess amount of cotton raised at the highest cost. If the last year's experience be taken as a guide, and if the board had available (which it does not have) accurate figures covering the cost of producing each bale of cotton that year, the board could say that the excess supply was produced at costs ranging from a certain amount per pound to another amount much higher. Therefore under this rule these would be excluded by the board in estimating the "cost of production to efficient producer."

It is clear that there are no figures, even in past years, which show what these costs would be. Even if there were, they would be totally inapplicable to the current year's condition of cost of production. For example last year's cost of production of cotton, for illustration, might have ranged from 7 cents per pound to 40 cents per pound. Because of climatic conditions the "high-cost producers" last year may have been in Georgia and surrounding territories, while the low-cost production may have been in Texas and Oklahoma.

Let us say that last year's crop was 17,000,000 bales and, therefore, there were 3,000,000 bales of cotton which should be excluded under the rule attempted to be laid down in the definition.

If figures were available to show what each lot and parcel of cotton cost to produce last year, then the board could ascertain that the 3,000,000 bales cost the growers from 30 to 40 cents per pound to produce, while the 14,000,000 bales not excluded cost from 7 to 30 cents a pound to produce.

The rule says: "The cost of production to efficient producers shall be estimated by excluding the costs of the highest cost producers"—in other words, the 3,000,000 bales of 30 to 40 cents cost of production.

But when that is done, what rule is left for the board to follow? What level of cost of production within that range of 7 to 30 cent cost of production shall the board select? The rule does not say. On the face of it, the level would be fixed at the dividing point between the lowest cost included in the quantity not needed for domestic consumption and export, and the highest cost included in the quantity needed. In the illustration used, that would be at 30 cents a pound, since that is the lowest cost included in the 3,000,000 bales, and just above the highest cost included in the 14,000,000 bales.

Or should the board take the average cost of producing those 14,000,000 bales? The rule does not say.

The illustration used assumes that the board would know what it cost every farmer to grow cotton the previous year—which, of course, is an assumption absolutely without warrant. As a matter of fact, the board never would have such information. But even if it did, does it occur to the authors of the Crisp bill that the cost of production of a previous year would probably not even be close to the cost of production in the year when it is proposed to operate, because of variation in yield per acre?

I should like to know who was responsible for putting over such an absurd and unworkable provision on our friend CRISP. It is vague and meaningless; it is confusing. This is the vital price-fixing section of the so-called Crisp bill, and it is totally unworkable.

If anybody knows where the board would end after trying to make out what that definition means, I would like to have either the gentleman from Georgia or the gentleman from New Jersey make an analysis of it and present it to this House for its consideration. As to the charge that the Haugen bill is price fixing, I insert the following statement:

PRICE FIXING

One phrase of opposition to surplus control legislation says that it is "price fixing." In fact, the phrase has become an epithet and is applied, as most epithets are, without understanding its exact meaning.

This is not a price fixing bill. "Price fixing" has a definite meaning. It means the act of naming a definite price by a person or agency with power to enforce it, or the making of a price formula which, when applied to a given set of circumstances, will produce a definite price.

The essential elements of price fixing are (1) definiteness and (2) power to enforce.

"Price fixing" should not be confused with or used as synonymous with "price influencing." To "fix" prices is one thing; to "influence" prices is another, and may be a wholly different thing.

The fixing of resale prices by manufacturers and the fixing of railroad rates by the Government are two examples of pure and simple price fixing. Tariff laws are typical examples of price-influencing legislation.

The Federal Reserve Board fixes the rediscount rate and influences the rate of interest in private transactions.

The United States Steel Corporation fixes the price of its own products and influences the price charged by others.

Much of the legislation of Congress has no other aim than to influence prices of commodities and services. Included in this category are all tariff, antitrust, and railroad legislation, and much labor, banking, shipping, and inland waterway legislation. No policy of our Government is more firmly established than that of influencing price levels by legislation.

The McNary surplus control bill aims to influence price levels, but its severest critic can not point to anything in the bill which will fix

prices. To charge that it is a price fixing bill is to descend from the high level of argument to the low level of abuse.

II

This bill addresses itself to surplus control, from which it is expected stabilization will result. Its aim and purpose is clearly stated in section 1, which reads:

"SECTION 1. It is hereby declared to be the policy of Congress to promote the orderly marketing of basic agricultural commodities in interstate and foreign commerce, and to that end to provide for the control and disposition of surpluses of such commodities, to enable producers of such commodities to stabilize their markets against undue and excessive fluctuations, to preserve advantageous domestic markets for such commodities, to minimize speculation and waste in marketing such commodities, and to encourage the organization of producers of such commodities into cooperative marketing associations."

There is not a word or sentence in this declaration of national policy about price fixing, but instead there is a clear purpose to sanction price influencing; and the method of accomplishing that purpose is definitely limited to "orderly marketing," to stabilizing markets "against undue and excessive fluctuations," to preserving "advantageous domestic markets," and to minimizing "speculation and waste in marketing." Further than is necessary to accomplish these admittedly desirable ends the Federal farm board will have no authority to go.

III

In order to carry out these purposes a Federal farm board is created. Let us examine the powers of that board and see if it is given power to fix prices.

The Federal farm board is authorized at the request of the producers to commence operations with surpluses under certain conditions only. (Sec. 6–c.) One of these conditions is that there is or may be during the ensuing year a surplus above domestic requirements or above the requirements for orderly marketing. If there is no surplus on hand or in sight the board's functions in relation to a commodity are general and advisory only.

During such operations the board "shall assist in removing or withholding or disposing of the surplus" (not of the regular supply) by entering into agreements with cooperative associations, corporations created by cooperatives, or with processors of such products. (Sec. 6–d.)

Such agreements may provide for payment out of the stabilization fund (derived from the equalization fee) of losses, costs, and charges of such agencies arising out of the purchase, storage, sale, or other disposition of the surplus only, and for making advances to such agencies for financing the purchase, storage, or sale of the surplus. (Sec. 6–a.)

The clear aim of the bill is to enable producers through their own organizations so to control and regulate the flow to market of the surplus any storage and withholding or diversion to export as to permit the normal or regular supply to be marketed at fair and profitable prices.

There is not one word in this or any other section of the bill which provides for any price fixing by the board or by anybody else. In the first place, the bill treats only with the surplus. If there is no surplus, the board can not operate with that commodity. When there is a surplus and the board does operate, its powers are limited to assisting the producers in "removing or withholding or disposing of the surplus," leaving the remainder, or the regular supply, to be sold and distributed in a regular way through regular agencies.

It is anticipated that a result of the passage of this bill and its successful administration by the board that producers, through their cooperatives, will attain a proper degree of bargaining power in the sale of the commodities named in the bill. When the market is freed of the demoralizing influence of surpluses, the farmers' cooperatives will have a fair chance to prove their efficiency and usefulness. If, as a result, prices should be advanced unreasonably, the remedy will lie in proceedings under the Capper-Volstead Act, which provides that when cooperative associations "monopolize or restrain trade in interstate or foreign commerce to such an extent that the price of any agricultural product is unduly enhanced thereby" the Secretary of Agriculture shall order such cooperative to "cease and desist from such monopolization or restraint of trade," and upon failure to obey judicial proceedings shall be instituted. (Capper-Volstead Act, 67th Cong.)

From the foregoing it is apparent that the board not only can not fix prices in a general or universal sense but can not even fix the price at which cooperatives may sell that part of the crop normally handled by them or, indeed, of the surplus itself. Whatever prices are named will be prices agreed upon between the organizations representing the producers and the buyers.

IV

Neither Congress nor the Supreme Court has ever questioned the right of an individual or corporation, no matter how large, to determine absolutely the price at which it would buy or sell. The aim of our antitrust and antimonopoly laws has been to prevent conspiracy and coercion to stifle free competition. It has been repeatedly held by the Supreme Court, for instance, that manufacturers have a right to fix the resale price of their products and to refuse to sell to any dealer who does not observe such prices, but the courts have restrained conspiracy and coercion to compel observance of such prices by dealers.

Under the surplus control bill farmers' cooperatives will have the same right as any other producer or dealer to name the prices at which they sell, and the board will have the right to finance such operations in so far as they involve the surplus with the stabilization fund. The rights and powers of the cooperatives and of the board in these operations (those relating to the surplus) will be that of a dealer and his banker, with the one exception that the board may agree to absorb any losses in the transaction and pay the same out of the stabilization fund provided by the commodity itself.

From the foregoing it is apparent that the plain and simple purpose of this bill is to make it possible for the producers of the five products named in the bill to control a sufficient supply of these products to prevent surpluses from causing ruin and bankruptcy. No price-fixing power is conferred by this act either upon the Federal farm board or the cooperative agencies of producers.

V

Stated in the plain terms of the market place, this legislation will give farmers the same power to withhold surplus supply of these five products that the United States Steel Corporation and other large industrial groups have in their products. The steel corporation may withhold products from the market or sell in foreign markets at lower prices for the purpose of maintaining fair and stable domestic prices. Why should not cotton farmers, wheat farmers, corn farmers, rice farmers, and hog producers be given a practical means to exercise the same rights and the same powers as the numerous corporations composing the United States Steel Corporation?

But, we will be told, the United States Steel Corporation is a voluntary combination and has received no aid from the Government. That is not a completely accurate statement. The Federal Government gave positive aid, through President Roosevelt, in the organization of the corporation, and by a decision of the United States Supreme Court placed the stamp of its approval upon the combination and its methods of operation and price control. In some circumstances negative aid may be as potent as affirmative aid. The decision of the Supreme Court, giving a new interpretation of our antitrust laws was as effective and accomplished the same result that an amendment of these laws by Congress would have accomplished. The point I am making is, that the United States Government has contributed to the organization and preservation of the steel corporation to the extent that was necessary to make it what it is. No more than this is asked by farmers in the pending bill; the difference in the two cases is one of method only.

When the United States Supreme Court gave its sanction to the methods of price influence employed by the Steel Corporation it gave the stamp of legality and economic soundness to the methods of price influence authorized in this bill.

"It is a mere truism," said the court in that case, "to say that the fixing and maintaining by a manufacturer of a fair price above cost is not only a right but a commercial necessity, and when such fair prices are departed from and they are unreasonably raised and exacted from the purchasing public, the public is prejudiced thereby. On the other hand, when that price is so unreasonably lowered as to drive others out of business, with a view of stifling competition, not only is that wronged competitor individually injured, but the public is prejudiced by the stifling of competition." (United States *v.* United States Steel Corporation, 223 Fed. Rep. 81.)

Substitute farmers and wheat or cotton or corn for steel corporation and steel and we have a court decision to the effect that a fair price above cost of production is not only a right of farmers but a commercial necessity, and that when prices are lowered to a point that drives farmers out of business the public suffers. That is the sound doctrine that underlies this bill.

In his testimony in this case Judge Gary said:

"The United States Steel Corporation has endeavored, so far as it could, to prevent unreasonable increase of prices. It has been a decided factor from time to time in keeping prices down to a level which was believed to be fair and just. Prices generally are controlled very much by the business conditions of the country. The ordinary laws of trade and supply and demand fix the general prices of commodities, but the Steel Corporation has endeavored to prevent sudden and violent fluctuations downward by its advice, but more particularly by its own action in fixing its prices, and has endeavored to prevent the unreasonable increase in prices at times when the demand was greater than the supply and there was a general disposition in the trade to take advantage of these conditions and unduly increase prices."

In the same case Charles M. Schwab testified:

"While I was president of the Steel Corporation I should say that our prices were somewhat above the other prices in depressed times and below the other prices in prosperous times. In other words, we endeavored to keep more uniform."

The price policy for farmers which this bill seeks to make possible aims to stabilize prices at profitable levels, to prevent them from going

too low or too high. If such a policy is legal and sound for the Steel Corporation, why is it not sound and legal for farmers? If such policy and practice are not price fixing by the Steel Corporation, the same policy and practice by the farmers' organizations will not constitute price fixing.

If it be argued that farmers, through their cooperatives and with the aid of the stabilization fund (which they would themselves provide), would be able to control so large a volume of products as to give them great power, we answer, in the language of the court in the Steel case, "the law does not make mere size an offense." Continuing, the United States Circuit Court said in that case:

"We find no proof to show that it tends to monopolize the steel business or to unduly restrain trade or to prejudice the public. There is no proof that it in any way interferes with the right of any other person in the steel business to fix his own price on his own steel products. The proof shows that the Steel Corporation, in the exercise of its own business judgment, has elected to publicly announce its prices, to adhere to them with all buyers, and to give timely notice of its purpose to change them." (U. S. *v.* U. S. Steel Corporation, 223 Fed. Rep. 81.)

Here is legal sanction of the policy of price influencing by farmers as authorized and foreshadowed in this bill. Large cooperatives of producers with full knowledge of supply and demand will negotiate the price on their own products. But this is done by the cooperative associations, not by the farm board. But all other producers and dealers will be free to sell and buy at any price that suits them. They will be as free to follow or disregard the prices of the cooperatives as independent steel producers are to disregard the prices of the Steel Corporation. If the Steel Corporation should by conspiracy or coercion unduly enhance steel prices it would be subject to prosecution under the antitrust law. If a farmers' cooperative should unduly enhance prices, even without resorting to conspiracy or coercion, it would be subject to prosecution under the Capper-Volstead Act.

Not having as large measure of control over production as the Steel Corporation, the farmers' cooperatives would have to be more careful than the Steel Corporation to keep prices at reasonable levels to prevent overproduction. The only means of direct price control available to the cooperatives would lie in the power to determine the price they would ask for their own products. They would have no control of any supply not produced or purchased by them and no power to prevent increased production if prices were sufficiently attractive.

VI

In the steel case the court did more than establish the legality of the combination. It considered the trade policies and practices of the Steel Corporation and approved them. After describing in some detail the old policy of ruthless competition in the steel industry which prevailed before the days of the Steel Corporation and which had been superseded by the Steel Corporation's policy of price stabilization, the court said:

"The cause of falling steel prices is, of course, that there are not enough orders to cover the production, and this leaves two courses open to the steel manufacturer; he must either shut down his mill or go after orders to keep it running. The policy of the Carnegie Co. (and others) was to try to keep the mills running, no matter what price they got for their products, or no matter whether their getting such orders meant the complete stoppage of their competitors' mills. Practically applied, this policy meant a fierce, ruthless, price-cutting trade war." (U. S. *v.* U. S. Steel Corporation, 223 Fed. Rep. 81.)

Summed up in a few words the conditions complained of and the remedy proposed, in so far as they relate to prices, may be stated thus:

Occasional and seasonal surpluses of crops break the price of the entire supply;

The number of farmers involved is so large as to make voluntary action to control this surplus impracticable;

It is proposed to create an agency which will make it possible for producers to so manage the surplus that supply and demand in the domestic market will be fairly balanced;

When the market has been freed of the weight of an unneeded surplus, the free operations of supply and demand will equate fair prices in line with and justified by general business conditions.

The participation of the Government is limited to—

(1) Making it possible to prorate the cost of thus managing the surplus on the same basis as the direct benefits; and

(2) Encouraging the development of cooperatives which will give farmers proper bargaining power in markets freed of the incubus of the surplus.

Instead of artificially fixing prices this legislation will in reality make free markets in which prices will be made in the usual ways of trade without the unfair influence of an unneeded supply. Instead of fixing prices and restraining trade, this legislation will encourage legitimate trade by substituting stable market conditions for unstable conditions.

Next we come to the statement in the final report that this bill will injure the cooperatives. The best answer I know to that is this, that practically everywhere you find a cooperative, the members of it are in favor of the machinery set up in the Haugen bill and are against the machinery set up in the Crisp bill. The only exception I know to that is the cotton cooperative of the gentleman's own State, and I know nothing about whether they have indorsed the gentleman's bill or not, but the gentleman from Georgia made the statement that they were favorable to him and had indorsed this plan. I did notice the other day that the cotton cooperatives from 10 to 11 States down there had met and indorsed the McNary-Haugen bill and not the Crisp bill. I say to you that these cooperatives ought to know something about what they want. They ought to know whether this machinery is for their best interests. If they are to designate as the agency to handle a commodity, then under the machinery set up in the Haugen bill they have an all-controlling influence, and they do not have an all-controlling influence under the bill of the gentleman from Georgia. I insert at this point a statement on the question of cooperatives under this machinery, which is too long and detailed to read to the House, but I hope that those of you who are interested in the matter will read it—

SURPLUS CONTROL AND COOPERATIVES

In discussion of the surplus control bill four objections have been advanced which relate to cooperative marketing associations of farmers, as follows:

(1) That farmers cooperatives can and should stabilize markets through control of surplus by means of loans.

(2) That the surplus control bill aims to compel all producers of the commodities named in the bill to join cooperatives; or, at least, to require nonmembers to pay part of the operating costs of cooperatives.

(3) That the stabilization plan will make cooperatives unnecessary and destroy those now in existence.

(4) That the bill will so increase the number and size of farmers' cooperatives that they will become trusts and monopolies and will oppress the public.

These four points will be considered in numerical order:

I

(1) That farmer cooperatives can and should stabilize markets through control of surplus by means of loans

In theory, the proposition is unsound, because it involves imposing upon a fraction of a group the cost of a service to the entire group.

Actually, it is impossible; every cooperative that has undertaken it has abandoned the effort, and some have failed as a result of the attempt.

There is not in the United States to-day a single cooperative handling a staple crop which has been successful in stabilizing prices over a period of years by carrying over seasonal surpluses from one year to another or by exporting the surplus in ways to maintain domestic prices on a higher level than world prices.

Several large cooperatives have attempted stabilization by carrying over seasonal surpluses. Some have appeared to succeed for a time, but in the end all of them have abandoned the practice. Others have perished in the attempt.

If one were searching for expert and reliable opinion on this point he would expect to find it among the officers and managers of the big American cooperatives handling our staple crops. With one voice these cooperative officials declare that cooperatives can not stabilize markets through management of surpluses with loans from the Government or any other lending agency. This is the recorded judgment of the cotton, wheat, rice, and livestock cooperatives. Certainly these men ought to know.

There was filed with the Agricultural Committees of the House and Senate last spring a statement signed by 29 of the large cotton, wheat, and livestock cooperatives in which it was declared:

"All properly organized and properly managed cooperative marketing associations handling nonperishable products are able at this time to secure marketing credit from commercial banks and from the intermediate credit banks. There is no need for the establishment of another system of Government credit for the ordinary and current marketing operation of cooperative associations.

"What is needed at this time by cooperative marketing associations and by all agriculture is a way by which unpreventable surpluses may be taken off the market and not permitted to depress the price of the entire crop below the cost of production. For some crops this will mean storage and carry over from years of large production to years of small production. For others it will mean so handling the export surplus as to make the tariff effective.

"In neither case will the mere granting of additional credit to cooperatives accomplish the desired purpose. No cooperative can afford to burden its members with the cost and risk of borrowing money to buy seasonal surplus and carry it over to the next year to sell it in foreign free-trade markets."

The American Cotton Growers' Exchange, a growers' cooperative which handles more than a hundred million dollars of cotton annually and sells in both domestic and foreign markets, said in a statement to Congress last April:

"In the very nature of things it is utterly impossible for all the producers of a given farm commodity to establish an equalization fund and a stabilizing system, just as it was impossible for all the bankers by voluntary action to establish agencies through which credit might be stabilized and adjusted to demand.

"It is impossible and utterly unfair for any small group of farmers, through their cooperatives, to undertake the burden of stabilizing the entire industry, in the benefits of which all will share and the cost of which will be borne by a few."

It thus appears that the proposition that farm markets may be stabilized by control of the surplus through loans to cooperatives is (1) unsound in principle; (2) has failed in practice; and (3) is opposed by practically all cooperatives handling our basic staple crops and is advocated by none of them.

II

(2) *That the surplus control bill aims to compel all producers of the commodities named in the bill to join cooperatives, or, at least, to pay part of the operating cost of cooperatives*

These statements belong in the category of misrepresentation and are not supported by any provision of the bill or warranted by fair interpretation of any provision.

One of the aims of the bill is to give the scattered millions of American farmers more bargaining power in the market places than they can have as an unorganized group of individuals. Therefore the bill frankly declares the aim "to encourage the organization of producers of such commodities into cooperative associations." (Sec. 1.) That is not merely the policy of this bill, but it is the declared policy of Congress and the executive branches of the Government.

This bill proposes to encourage organization of farmers, not by compelling them to join cooperatives, which would be foolish and futile, but by making it possible for cooperatives to render a larger measure of service and thus increase their membership by voluntary action.

Section 6–d of the bill authorizes the Federal farm board to assist in "removing or withholding or disposing of the surplus," and to that end it may enter into contracts with certain agencies, including "cooperative associations * * * or a corporation or association created by one or more such cooperative associations."

By section 6 the contracts between the farm board and the cooperatives may provide that the board will make advances from the stabilization fund to the cooperative to purchase, store, and resell any part of the surplus in domestic or foreign markets, and that any losses sustained in such operations will be paid out of the stabilization fund.

These provisions of the bill make it clear that the operations of the cooperatives in buying, storing, and selling the surplus under contract with the board will be entirely separate and apart from their regular operations in marketing the products delivered to them by their members. In order that these two different sets of transactions may be kept separate the bill provides (sec. 6–d) that the board may contract with corporations created by one or more of such cooperative associations. The clear intent and purpose of this and other sections of the bill is to make it possible, for instance, for all the regional wheat cooperatives to organize one or more corporations through which surplus wheat may be purchased, stored, or sold in domestic or foreign markets under a contract with the Federal farm board. By the same provisions of the bill the various cotton and rice cooperatives will be permitted to contract with the board for handling the surplus through subsidiary corporations created by them.

This plan and procedure keeps the surplus operations of the board separate from the operations of the cooperatives in handling the crops of their members and completely answers the charge that the bill will drive farmers into cooperatives against their will or compel nonmembers to pay a part of the expenses of the cooperatives.

The organization with which the board will contract for the handling of the surplus may buy in the open markets and may buy from the cooperatives, if the latter wants to sell; or it may buy from nonmembers or dealers. They will (under contract with the board) buy, sell, store, export, or otherwise dispose of the surplus in ways to accomplish the aims and purposes of this legislation. Members of cooperatives will sell through their cooperatives and pay the expense of maintaining the cooperative. Nonmembers will continue to sell when, where, and to whom they please.

The product of members of cooperatives and nonmembers alike will pay the equalization fee, because all will share alike in the benefits of stabilization. The expenses of cooperatives will be paid only by their members, because the members only share in the direct benefits of cooperative selling.

III

(3) *That the stabilization plan will make cooperatives unnecessary and destroy those now in existence*

This objection is in direct contradiction of the claim that the plan is unworkable and will not benefit agriculture, for it is predicated upon the assumption that the plan will bring such great benefits to farmers that they will not want or need the benefits of cooperative marketing. To contend that the plan will make cooperatives unnecessary is to admit that it has more merit than is claimed for it by the most ardent supporters.

The plan will depend in large measure for its successful operation upon the effective organization of farmers, and the relation of the Federal farm board to the cooperatives is clearly defined in the bill itself.

There can not be any possible conflict between the functions of the Federal farm board and the cooperatives and neither can supplant the other or render the other unnecessary. The board will keep in touch with the big questions of supply and demand and the general economic conditions affecting agriculture and administer the stabilization funds in "removing or withholding or disposing of the surplus" through proper contracts with cooperatives and other agencies. It will not relieve farmers of any of their own responsibilities of production and marketing which create the necessity for cooperative organizations. There will remain the same need for efficient production, for proper grading and standardization, for the elimination of unnecessary costs and waste in distribution, and for intelligent selling as exists to-day.

When the farm board has freed the domestic market of the demoralizing influence of surplus there will remain the task of marketing the regular supply and farmers will continue to need the bargaining and other powers of cooperation. Under those conditions cooperative marketing associations will have a better opportunity than they now have to prove their efficiency and value.

IV

(4) *That the bill will so increase the number and size of farmers' cooperatives that they will become trusts and monopolies and will oppress the public*

Many of the most ardent opponents of this legislation have declared publicly that a farmers' trust is not possible. The large number of persons engaged in farm production renders conspiracy and coercion impossible, and without conspiracy and coercion price extortion by so large a number is impossible. Furthermore, long before the price of farm products could be raised to the extortion level, increased production would lower them.

There is nothing in the surplus control bill which gives farmers any right to organize which they do not now possess under State and Federal laws. All that the bill aims to do in respect to this phase of the question is to assist cooperatives in the task of stabilizing markets through control of the surplus.

If as a result of this legislation farmers' cooperatives should increase in number, size, and efficiency, one of its primary aims will have been accomplished, viz, the development by farmers of bargaining power which will enable them to deal on even terms with the buyers of their products.

The law provides ample safeguards against abuse of power by farmers' cooperatives. The Capper-Volstead Act, which authorizes such cooperatives to engage in interstate commerce, also provides severe penalties for abuse of cooperative power.

Under section 2 of the act it is the duty of the Secretary of Agriculture, if he believes that any association operating under it monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any agricultural product is unduly enhanced by reason of such monopoly or restraint of trade, to serve upon such association a complaint with respect to such matters requiring the association to show cause why an order should not be made directing it to cease and desist from monopolization or restraint of trade.

After a hearing, if the Secretary of Agriculture believes that such an association monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any agricultural product is unduly enhanced thereby, the act provides that he shall issue an order reciting the facts found by him and directing such association to cease and desist from monopolization or restraint of trade. If such order is not complied with by the association within 30 days, the Secretary of Agriculture is then required to file a certified copy of the order issued by him, together with certified copies of all records in the matter in the district court of the United States in the judicial district in which such association has its principal place of business. The Department of Justice has charge under the act of the enforcement of such order. The district court of the United States is given jurisdiction to affirm, modify, or set aside the order, or to enter such other decree as it may deem equitable.

V

There are two additional and very important provisions of the surplus control bill which relate to farmers' cooperatives.

Section 12–a authorizes the Federal farm board "to make loans out of the revolving fund to any cooperative association engaged in the purchase, storage, sale, or other disposition of any agricultural commodity (whether or not a basic agricultural commodity) for the purpose of assisting such cooperative association in controlling the surplus of such commodity in excess of the requirements for orderly marketing."

This provision will enable the board to do all that can be done with loans toward stabilization of farm prices. If the producers of any of the five basic commodities named in the bill believe they can stabilize their markets by the use of loans and prefer that method to

the use of the equalization-fee method, they would have an opportunity to obtain loans under this section.

Loans are not limited to the five basic products named in the bill, but may be made to cooperatives handling "any agricultural commodity." This broadens the scope of the bill and will permit the Federal farm board to extend special aid to any cooperative group in dealing with its surplus problem. In addition to making loans the board will also be in position to aid cooperatives with surplus problems in many other ways. Section 5–b and 5–c require that—

"SEC. 5. (b) The board shall keep advised, from any available sources, of crop prices, prospects, supply and demand, at home and abroad, with especial attention to the existence or the probability of the existence of a surplus of any agricultural commodity or any of its food products.

"(c) The board shall advise cooperative associations, farm organizations, and producers in the adjustment of production and distribution, in order that they may secure the maximum benefits under this act."

VI

Still further aid is provided for cooperatives in section 12–b, which follows:

"SEC. 12. (b) The board is authorized, upon such terms and conditions, and in accordance with such regulations as it may prescribe, to make loans out of the revolving fund to any cooperative association engaged in the purchase, storage, sale, or other disposition, or processing of any agricultural commodity, for the purpose of assisting such cooperative association in the purchase or construction of facilities to be used in the storage or processing of such agricultural commodity. In making any such loan the board may provide for the payment of a fixed number of annual installments which will, within a period of not more than 20 years, repay the amount of such loan, together with the interest thereon. The aggregate amounts loaned under this subdivision and remaining unpaid shall not exceed at any one time the sum of $25,000,000."

This feature of the bill will bring aid and relief to a great many cooperative elevators, feed mills, creameries, warehouses, and farm marketing and processing enterprises. Also, it will enable many farm groups to provide much needed facilities.

VII

From the foregoing, it is apparent that this legislation is much broader and more comprehensive than many of its critics have been willing to admit. So far as they relate to farmers' cooperatives they may be summed up as follows:

1. A Federal farm board which will keep advised of crop prices, prospects, supply and demand at home and abroad and will advise cooperatives in the adjustment of production and distribution.

2. Will encourage the organization of producers into cooperative marketing associations.

3. Will assist the producers of wheat, cotton, corn, rice, and hogs through removing, withholding, or disposing of the surplus and prorating the cost to all of the marketed commodity.

4. By relieving cooperatives handling these five commodities of the entire burden of managing the surplus will enable them to grow in size and number and exercise real bargaining power in markets freed of the incubus of the surplus.

5. Will assist cooperatives handling any agricultural product in controlling the surplus through the use of low interest-bearing loans.

6. Will make loans to cooperatives for construction or purchase of facilities for storage or processing, and permit amortization over periods as long as 20 years.

Taken as a whole, this legislation provides the kind of assistance to cooperatives which experience shows they need and which will enable them to prove their worth and efficiency.

The other day the gentleman from Georgia made the statement here that only $250,000,000 are appropriated in his bill, and when that is used up it is all gone and there will be no more. He also made the statement in the analysis of his bill that if you lose on handling the farm commodity you are handling, that loss must come out of the Public Treasury. Last year a great many men who opposed the McNary-Haugen bill spent most of their time opposing it on the ground that it furnished a subsidy. We admitted that a certain portion of the bill did have a subsidy. That these same gentlemen opposed to that bill are now proposing a loan as a subsidy to the commodity out of the Public Treasury. How are they going to avoid a loss? They are going to avoid it by fixing the price at the cost of the efficient producer plus a resasonable profit, and the principal reason why they say there is going to be no loss in buying so low is there will not be any loss on a commodity. I would like to know if there is not some cotton man on the cotton exchanges of the South who would like to have an opportunity to make money on cotton and foodstuffs at so low a price they are bound to make money if the commodity goes even higher. Who is to stand the loss? Is it the cotton speculator? No. Is it the cotton commission concerns? No. It is the cotton producer. What does it mean, then? Under the Crisp bill, in order to prevent a Treasury loss you have to buy it so cheaply the farmer can not make money. You bankrupt him first and then take the commodity off his hands. Some of you men are friends of the farmer and have farmer constituents. I want you to explain under the Crisp bill how you are going to save the cotton men when the price gets so low you can not lose money in buying it and expect him to make money producing it at that price. Why do something that will add to the already terrible condition of the cotton people of the South?

The $250,000,000 would not stop the operation of the scheme under the Crisp bill. Say we loaned $250,000,000 in the Cotton Belt and we find an emergency in corn or swine or any of the other products, they would have to take $150,000,000 to take care of their interest. Therefore, the only fair way here is to say to the gentleman from Georgia [Mr. CRISP] and the gentleman from New Jersey [Mr. FORT], "Take back your gold," we want to finance our own machinery. We want the men who produce these commodities to pay their own cost, and they are willing to do it and if you will let them have the management of the machinery under the Haugen bill they will manage the marketing of their foodstuffs, and in time they will be able to stabilize prices at a fair rate. Next, there are a good many people saying: "Oh, this McNary-Haugen bill is going to be a plan imposed upon the farmer. They have got to take it whether they want it or not. You are going to hold their noses and pour it down them." Such is not the case, nothing is further from the truth. What must you find in order to get an operating period? First, a surplus above the domestic requirements. In cotton a surplus above requirements for orderly marketing. Second, you have to have an advisory council who are selected from the 12 land-bank districts of the United States, with particular regard to the particular commodity, and they must advise and consent to an operating period before the same can be declared by the board. Third, a substantial number of the cooperative associations or other organizations representing the producer of such commodity, must approve such operating period; and, fourth, the members from the land-bank districts will have more than 50 per cent of the production of such commodity in their districts, so must approve such operating period.

Therefore this is only put in operation after the real producers of such commodities ask that the same be given to them for their benefit. Therefore the equalization fee is not a tax imposed. It is a privilege granted whereby they raise a sinking fund, by which they carry on and help cover losses in case that commodity is sold at a loss, which is the same suggested way to have the farmers themselves carry the loss. In other words, I want to see some of the conservative Members of this House who heretofore have been critical of the men sponsoring the McNary-Haugen bill explain their attitude and tell us how they can switch their views and support the Crisp bill.

Now, I was very much interested in the statement of the gentleman from Minnesota [Mr. NEWTON] last night. I have also seen a letter that has been circulated here by Sidney Anderson, a former Member of the House, with reference to wheat, in which they say they are trying to protect the interests of the wheat farmers, and that it is only in the interest of the wheat farmer that they are opposing this legislation; and then they set out a very keenly-devised scheme whereby they show that if you will impose an equalization fee twice the amount that will be necessary, we are going to have a less price in this country than the Canadian farmer receives. Let me tell you why that would not be so. Under the whole machinery of the McNary-Haugen bill you can levy the equalization fee against Canadian wheat brought in by the millers the same as against the domestic wheat. [Applause.]

Why, then, be fearful that we are going to subsidize the Canadian farmer in this bill, when there are three places in the bill where you can levy the equalization charge against the wheat imported from Canada? In some sections of this country, like the State of Washington and the State of Oregon, where they raise wheat, a large portion of which is exported, under the definitions drawn in the Crisp bill the only hope those fellows would have is to change to some other grade of wheat.

My only purpose in taking this time now is to sift out some of these objections that are floating around here and present them to the House for its consideration. But let me suggest one more thing, and that is the propaganda. Here is the Washington Post coming out yesterday with this statement, that "It is an inexcusable attempt to discriminate against some Americans in favor of others." Does anybody believe that an increase of 4 cents a pound on butter was for any other purpose than to stabilize and increase the price of butter? Is there anybody who thinks that this project is intended to do more

than to give a higher price? We know that when you object to a benefit being derived by the food producer you are discriminating against him. It was started back in the days of Thomas Jefferson, when they imposed customs duties in order to raise revenues.

We are really being complimented by the kind of attention we are getting. The Philadelphia Board of Trade passed a resolution and sent it to Members of Congress in which they say, "And your memorialists will ever pray," and so forth. I venture to suggest that this is the first time those fellows have ever prayed for a long period of years. [Laughter and applause.]

What do they say? They say it is not believed that any system can be devised for the withdrawal of a surplus in the market that will not tend to produce overproduction here in competition with the other countries of the world. In other words, they say, "Let the farmer continue in the status he is in at the present time." That is the attitude of the Philadelphia Board of Trade. I venture to say that there is not one of those members who, if he saw a copy of the McNary-Haugen bill, could tell it from one of this month's comic valentines. [Laughter.] They spread their views all over the country and say, "This thing is bad; run away from it."

A word further with reference to the wheat figures circulated by the millers. Everybody who knows Sidney Anderson, of Minnesota, knows that he represents the milling industry of this country. The millers for all these years have looked largely to the processing end; and so far as the miller needs pay for his services in processing and grinding the wheat into flour, he must have his pay. But the trouble is that in a large number of milling enterprises the millers are dealing more in grain and grain gambling than in the milling end of the commodity.

The CHAIRMAN. The gentleman's time has again expired.

Mr. DICKINSON of Iowa. I will give myself five minutes *more*.

That being the case, we want to read over carefully that kind of propaganda. We want to read it with a good deal of misgiving. And with reference to the letter from the millers, I would simply suggest that what they say is not applicable under present conditions. They get out that whole mass of figures, followed by a long list of prices, and when you come to the end of it you find that the only mistake they make is that the very evil they suggest is cured by the terms of the bill.

Oh, what a tangled web we weave
When first we practice to deceive.

And their statement is for no other purpose than to deceive.

Now, coming down to the last analysis, what is the difference between the remedy proposed in the Crisp bill and the McNary-Haugen bill? The committee has found, if you please, one fundamental difference, and that is that we are trying to establish here a method by which you can maintain a price that is favorable to the producer, while on the other hand the Crisp bill makes an effort first to determine what the cost of production is, which is impossible, where no two economists have been able to agree, and where if you put this machinery into effect they can not agree for the next 25 years; and then they say that in order not to lose the Government money you must buy this stuff so low that there will be no loss. In other words, do we want farm relief or do we not? Do you want to try to handle farm commodities through proper machinery, and machinery which will carry on for the benefit of the farmer, or do you want to say to the farmer, "We can not buy your stuff, except at that low rate"? And, therefore, the whole question is a question of degree. What do you want to do for the farmer? Do you want to do anything or do you not? If you do not want to do anything, let us vote down all legislation; but if you do want to do something, do not let us camouflage by saying to the producer, "We are going to estimate what an efficient producer is." So far as I know the definition given by the gentleman from Georgia the other day is a definition of bulk-line production, but it is not the definition of an efficient producer so far as I know. In all the books on economics I have been able to get hold of I never heard an efficient producer defined. I do not know what an efficient producer is, and it will be a matter of guesswork for the next 25 years.

If we are going to do something in behalf of the farmer, let us put in a system of legislation that will at least tend toward the point of equality for the farmer in the handling, in the carrying, and in the marketing of his commodities. Less than that we ought not to do, and more than that he does not ask. Therefore, why not put through the McNary-Haugen bill in its present form. This is the beginning of a system. The Federal reserve act now on the statute books had, I believe, only 15 per cent of it put on the books in the original enactment. Of course, we will find our difficulties. This is not a piece of legislation which anybody thinks is going to take prosperity and lay it at the front door of the farmer, but it is a piece of legislation that will start in to build an American agricultural policy, the first of which will be economical and efficient production as well as good management on the part of the farmer, and, second, it will provide machinery, if you please, that will help market his crop and give him a bargaining power that will permit him to compete with the other interests he is compelled to combat.

That is the whole purpose of this bill, and with that statement I yield the floor. [Applause.]

Mr. Chairman, I ask the gentleman from Colorado to use some of his time.

Mr. TAYLOR of Colorado. Mr. Chairman, I would like to ask the chairman of this subcommittee, the gentleman from Iowa, as to what we can rely upon, if he knows, as to the amount of time to be used in this general debate. I have requests from some 15 Members on this side of the House, and the time totals about five or six hours. If we are going to be compelled to close the debate to-day, I think we ought to know that.

Mr. DICKINSON of Iowa. It is my belief we should run on all of to-day and probably a part of Tuesday. By that time we will know how much of our material we have exhausted and can then make an adjustment.

Mr. TAYLOR of Colorado. The only thing is that I do not want to yield some Members 30 minutes and then have the time made so short that I can not yield time to other Members.

Mr. DICKINSON of Iowa. We will do the best we can to accommodate them all.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield time to the gentleman from Arkansas [Mr. TILLMAN].

Mr. TILLMAN. Mr. Chairman, I shall consume very little time, and I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. TILLMAN. Mr. Chairman, much in the way of bitter criticism has been uttered by the wets against the use of decoys, detectives, and against what is termed entrapment and enticement on the part of officers charged with the duty of enforcing laws against the illegal sale of intoxicating beverages. Members of this body profess to feel greatly outraged at some of the alleged acts of enforcement officers seeking to secure convictions under the statutes mentioned. I wonder if they condemn the use of the same methods if invoked to run down counterfeiters, murderers, rapists, and criminals generally.

When a man is charged with crime I am in favor of respecting every safeguard that the law throws around him; the presumption of innocence; trial by an impartial jury of his own selection; defense by counsel; the right of appeal to the highest courts, and every delay coming to him under the wise and long-established procedure wrought during the centuries by sovereignties, always jealous of the rights of men accused of committing offenses against the peace and dignity of the State. But I see no harm, I see only a well-recognized and proper custom, age-old in its observance, that is to say, the privilege of officers to obtain evidence in the manner above discussed against chronic offenders, against criminal statutes. Great judges, great courts, clean and law-loving officials with only the love of orderly conduct and the desire to benefit society by enforcing the laws of the land have practiced and sanctioned the methods that I am defending.

We sometimes waste too much sympathy on the murderer and too little on his victim and the victim's widow and orphans. We are outraged over the arrest and conviction of the wealthy bootlegger and show a reckless unconcern for the boy who has been poisoned by drinking his dangerous wares. Just what sympathy is a chronic day after day offender against laws that are made for everybody to obey, entitled to have, and why should some obey the laws and others flout and disobey them?

Bred to the law, having been a district attorney and a district judge, I have great respect for law and for the opinions of distinguished law writers and able judges.

I shall discuss somewhat in detail the subjects mentioned, citing declarations and decisions from the highest courts, both State and Federal.

THE DEFENSE OF ENTRAPMENT

In detecting certain classes of crimes which are committed in secrecy, the use of funds for the purchase of evidence frequently becomes an urgent necessity. When rightly employed, there is no objection to this method of obtaining evidence, and it has been sustained by the courts in many cases.

A distinction is to be made between those cases where an officer merely furnishes an opportunity to commit a crime and

those, on the other hand, where he persuades, induces, and entices a person to the performance of a criminal act; and, even in the latter class of cases, if independent evidence showed that the person in question had been engaged in a series of similar criminal acts, the defense of entrapment would not be sustained.

Every case is to be determined upon its own particular facts, and the inquiry should be directed to whether or not the officer persuaded the defendant to commit the crime or whether he merely offered him the opportunity to commit it. A few citations from the authorities will serve to illustrate the difference (16 Corpus Juris, sec. 57):

A general rule is that it is no defense to the perpetrator of a crime that the facilities for its commission were purposely placed in his way or that the criminal act was done at the "decoy solicitation" of persons seeking to expose the criminal or that detectives feigning complicity in the act were present and apparently assisting in its commission. Especially is this true in that class of cases where the offense is one of a kind habitually committed and the solicitation merely furnished evidence of a course of conduct. Mere deception by the detective will not shield defendant if the offense was committed by him free from influence or the instigation of the detective. (United States *v.* John Reisenweber et al., T. S. 3441, published in Treasury Decisions, vol. 43, No. 8, February 22, 1923.)

It is no enticement to ask a physician to write an illegal prescription, if you suspect that he might do it and you want to find out if he does it, nor to ask a druggist to sell narcotics illicitly, because both of them know better; and if they are going to obey the law, why they won't do that in response to any form of petition or inducement; and it is perfectly within the rights of investigating officers to determine, by means that have been here disclosed, whether a party, or parties, are engaged in violation of the law and, if they are, to take steps accordingly, so that I wish to disabuse your minds of all this confusion that this, in itself, was such an unwarrantable offense on the part of the Federal officers that it relieves this offense charged, if you find any offense was committed, of its character as such offense. (Smith *v.* United States, 284 Fed. 673 on 680.)

Some of the above cases appear to be based on the ground that the crime committed is the only one committed by the defendant and for that reason infer that the Government officers caused the commission of the offense, but when considered with the other cases it appears that the singleness of the offense is not the real reason for acquittal, but that acquittal always reverts to the proposition: Did the crime originate in the mind of and was it conceived by the defendant? The result of the authorities, when considered together, is that if the crime is conceived by and originates in the mind of the defendant then the fact of entrapment by a Government official is no defense.

ENTRAPMENT

The overwhelming weight of authority in both Federal and State courts is to the effect that where an officer, detective, or decoy engaged in the effort to supress crime purchases liquor from a defendant, pays for it, and accepts delivery of the liquor, that this does not constitute entrapment, which will operate as a defense for the benefit of the accused. The cases further hold that such a transaction constitutes a sale, that the purchaser is not in such a transaction an accomplice, and that a conviction may be sustained upon the uncorroborated testimony of such a purchaser. The only exception to this rule is where the conduct of the officer or detective may be said to go beyond a mere attempt to detect crime and in effect become an effort to instigate crime, as, for example, where some additional misrepresentation is employed beyond the mere concealment of the purpose of the purchaser or where it clearly appears that the accused was led to embark upon a criminal career solely as a result of the methods employed by the prosecuting officers and his agents.

The following are decisions from the Federal and State courts upon the subject. There are no decisions by the United States Supreme Court involving the purchase of liquors under such circumstances. Quite a number of decisions by the United States Supreme Court passed upon the somewhat analogous question of the use of decoy letters in detecting violators of the postal laws. These decisions of the United States Supreme Court are listed first, followed by the decisions of the inferior Federal courts bearing upon the subject of the purchase of intoxicating liquors under such circumstances, and by the decisions of the courts of last resort in the States upon the same subject.

UNITED STATES SUPREME COURT DECISIONS

The case of Grimm *v.* United States (156 U. S. 604, 15 S. Ct. 470, 39 (L. Ed.), 550) involved a prosecution under section 3893 of the Revised Statutes for sending through the mail letters conveying information where obscene matter could be obtained. The evidence upon the prosecution was obtained by means of a letter written by a post-office inspector under an assumed name, to which the defendant replied.

The defense was made that this constituted entrapment, and for this reason conviction could not be sustained. Mr. Justice Brewer, speaking for the Supreme Court, said:

It does not appear that it was the purpose of the post-office inspector to induce or solicit the commission of a crime, but it was to ascertain whether the defendant was engaged in an unlawful business. The mere facts that the letters were written under an assumed name and that he was a Government official—a detective he may be called—do not of themselves constitute a defense to the crime actually committed. The official, suspecting that the defendant was engaged in a business offensive to good morals, sought information directly from him, and the defendant, responding thereto, violated a law of the United States by using the mails to convey such information, and he can not plead in defense that he would not have violated the law if inquiry had not been made of him by such Government official. The authorities in support of this proposition are many and well considered.

Andrew *v.* United States, 162 U. S. 420, 16 S. Ct. 798, 40 (L. Ed.), 1023. (Conviction for sending obscene matter through the mail obtained by decoy letter sent by a Government detective.)

Goode *v.* United States, 159 U. S. 663, 40 (L. Ed.), 297. (Conviction for embezzlement and larceny from mail sustained upon evidence obtained by decoy letter sent by Government detective to fictitious address.)

Rosen *v.* United States, 161 U. S. 29, 40 (L. Ed.), 606. (Conviction sustained for sending obscene paper through mail where evidence obtained by decoy letter.)

Price *v.* United States, 165 U. S. 311, 41 (L. Ed.), 727. (Conviction for sending obscene matter through mail, although evidence obtained by decoy letter.)

DECISIONS IN FEDERAL COURTS IN LIQUOR CASES UPON QUESTION OF ENTRAPMENT

CASES HOLDING FACTS DO NOT CONSTITUTE ENTRAPMENT

Ritter *v.* U. S. (c. c. a. 9th), 293 F. 187. (Instruction on entrapment held to correctly state law.)

U. S. *v.* Reisenweber (c. c. a. 2d), 288 F. 520, held. (The fact that Government officer furnished defendant with opportunity to commit offense by purchasing liquor in their restaurant did not show entrapment which would bar the entry of a decree abating the nuisance under the national prohibition act.)

Zucker *v.* U. S. (c. c. a. 3d), 288 F. 12. (One of a number of conspirators to violate the national prohibition act not entitled to acquittal on the ground of entrapment, because when approached by Government agents for the purchase of liquor he told them he did not handle it, but willingly put them in connection with others who did and with whom the purchase was negotiated.)

Billingsley *v.* U. S. (c. c. a. 6th), 274 F. 86. (Prosecution for transportation in violation Reed amendment, instruction held correctly stated law of entrapment, facts held not to constitute entrapment.)

Farley *v.* U. S. (c. c. a. 9th), 269 F. 721. (Where they purposed ascertaining whether defendant was dispensing liquor in violation of the national prohibition act officer called for cough syrup, which was understood to mean whisky and was served with drinks, held not to constitute entrapment.)

Ramsey *v.* U. S. (c. c. a. 6th), 268 F. 825. (Fact that witness who purchased liquor was a decoy no defense to prosecution under wartime prohibition act.)

Saucedo *v.* U. S. (c. c. a. 5th), 268 F. 830. (Fact that sale of liquor charged indictment under war prohibition act was a Government agent held not to relieve defendant from liability to prosecution.)

Fetters *v.* U. S. (c. c. a. 9th), 260 F. 192, certiorari denied, 64 (L. Ed.). (That a seaman in uniform encouraged and incited defendant to sell him liquor for purpose of obtaining evidence held no defense where act was done because of prior complaints of violation of law by defendant.)

U. S. *v.* Amo (D. C. W. D. Wis.), 261 F. 106. (Conviction for selling liquor to Indian not invalidated because Government agents having reports of illegal sales sent two full-blooded Indians to defendant's saloon, where on merely asking for whisky they were sold several drinks.)

Goldstein *v.* U. S. (c. c. a. 7th), 256 F. 813. (Fact that soldiers who purchased liquor were merely police who made the purchase to procure evidence no defense where no deception was practiced, although soldiers represented they wanted liquor for sickness.)

LIQUOR CASES HOLDING FACTS TO CONSTITUTE ENTRAPMENT

U. S. *v.* Certain Intoxicating Liquors, D. C. N. H. 290 F. 824. (Where Federal prohibition agent crossed line to Quebec and induced claimant's son to sell liquors on the American side held entrapment.)

Peterson *v.* United States (c. c. a. 9th), 255 F. 433. (In prosecution for sale of liquor soldier where defense was that officers induced defendant to commit the offense, refusal to give instruction on law of entrapment error.)

Voves v. United States (c. c. a. 7th), 249 F. 191. (In prosecution for sale of liquor to Indian where Government witness led defendant to believe that he was not an Indian but a Mexican, held entrapment.)

United States v. Echols, D. C. S. D. Texas, 253 F. 862. (Facts held entrapment.)

STATE DECISIONS INVOLVING ENTRAPMENT IN LIQUOR CASES

ALABAMA

Borck v. State, 39 S. 580. (That liquor was purchased on Sunday for purpose of prosecuting seller no defense.)

Swope v. State, 68 S. 562. (Accused guilty of violating liquor law though sale was induced by officer.)

Strother v. State, 72 S. 566. (Instruction that no jury believed officer sought to entrap defendant properly refused.)

ARIZONA

Duff v. State, 171 P. 133. (That sale of liquor was to detective held no defense.)

ARKANSAS

Whittington v. State, 254 S. W. 532. (Fact that purchase was made for purpose of prosecuting immaterial where seller exercised his own volition.)

CALIFORNIA

People v. Tomasovich, 206 P. 119. (Where officers were informed accused was violating and purchased whisky to be delivered there was no improper inducement.)

People v. Heusers. (When induced to make unlawful sale of liquor to a detective upon the latter's mere request and payment of price was not entrapped.)

People v. Amort, 212 P. 50. (Sale of liquor to officer held no entrapment.)

People v. Barkdoll, 171 P. 440. (That sale of liquor was to a detective no defense.)

COLORADO

Simmons v. People, 199 P. 416. (Purchase by prosecuting witness of liquor with money furnished by the sheriff held no entrapment so as to render such witness incompetent.)

Plue v. People, 193 P. 496. (Where defendant asked to procure liquor for friends who turned out to be police held no entrapment.)

People v. Chipman, 71 P. 1108. (Act of town attorney in employing detective who gave witness money to purchase liquor held no defense to seller.)

Wilcox v. People, 67 P. 343. (The sale of liquors in violation of a town ordinance to one who purchased liquor at instigation of the town does not authorize a conviction under the ordinance.)

ILLINOIS

City of Evanston v. Myers, 50 N. E. 204. (That money was furnished by city to a person to detect violations of law no defense to accused.)

IOWA

State v. See, 158 N. W. 687. (The fact that a State agent asked for, received, and paid for a pint of liquor held no entrapment.)

KANSAS

State v. Spiker, 129 P. 195. (That purchase of liquor was by persons seeking to ascertain if the seller was engaged in unlawful traffic no defense.)

KENTUCKY

Cooke v. Commonwealth, 250 S. W. 802. (Officers who purchased liquor held not to have induced crime but to detect crime do not participate in the offense so as to prevent a conviction upon their testimony.)

MASSACHUSETTS

Commonwealth v. Downing, 4 Gray 29. (When purchasing liquor with a view to prosecuting vendor, purchaser does not become his accomplice, is not barred from testifying, and his testimony may be sufficient to convict.)

MICHIGAN

People v. McIntyre, 188 N. W. 407. (Act of officer in gaining confidence of accused and satisfying him it will be all right to sell him whisky did not constitute unlawful inducement.)

People v. England, 192 N. W. 612. (That sale of liquor was to a decoy no defense.)

People v. Christiansen, 190 N. W. 236. (Sale of liquor to officer no defense.)

People v. Murn, 190 N. W. 666. (Where defendant denied sale can not defend on ground of entrapment.)

People v. Everts, 70 N. W. 430.

People v. Rush, 71 N. W. 863.

MISSOURI

State v. Feldman, 129 S. W. 998. (That defendant was enticed into selling liquor to minors by persons furnished money by citizens held no defense.)

State v. Richa, 180 S. W. 2. (That purchase of liquor was by sheriff held no defense.)

State v. Quinn, 67 S. W. 974; affirmed 70 S. W. 1117. (The fact that prosecuting witnesses were furnished money by citizens for the purpose of buying whisky and prosecuting seller no defense.)

State v. Lucas, 67 S. W. 971.

NEW JERSEY

State v. Contarion, 182 At. 872. (Where officers who testified to sale engaged in no conspiracy to entrap defendant evidence competent—weight for the jury.)

NORTH CAROLINA

State v. Smith, 67 S. E. 508, 30 L. R. A. (n. s.) 946. (That sale was to an officer no defense.)

State v. Hopkins, 70 S. E. 394. (That sale of liquor was to a decoy employed by police officer no defense.)

OKLAHOMA

Stack v. State, 129 P. 126. (That sale of liquor was to informer at the instance of sheriff no defense.)

Moss v. State, 111 P. 950. (That purchase of liquor was made at instance of prosecuting attorney no defense.)

OREGON

State v. Beeson, 211 P. 907. (Mere inquiry by officer of where he could purchase liquor no entrapment.)

TEXAS

Bird v. State, 256 S. W. 277. (In prosecution for sale it was immaterial that State witness was sent by sheriff to defendant's home on occasion of alleged sale.)

Smith v. State, 135 S. W. 154. (The employment of detectives to induce violation of the local option law is to be deplored.)

Scott v. State, 153 S. W. 871. (An officer is not justified in inducing others to commit crime in order to obtain evidence against them.)

UTAH

Salt Lake City v. Robinson, 125 P. 657. (That sale of liquor was procured by officers no defense for selling liquor without license.)

VIRGINIA

Bauer v. Commonwealth, 115 S. E. 514. (Initiative on the part of one violating the liquor laws not being element of the crime, it is no defense that accused was induced to violate such laws for the sole purpose of prosecuting him.)

FEDERAL DECISIONS IN NARCOTIC CASES INVOLVING ENTRAPMENT

The following cases hold facts not to constitute entrapment: Nutter v. U. S. (c. c. a. 4th), 289 F. 484; Aultman v. U. S. (c. c. a. 5th), 289 F. 251; United States v. Papagoda (D. C. Conn.), 288 F. 214; Smith v. U. S. (c. c. a. 8th), 284 F. 673; Lucadmo v. U. S. (c. c. a. 2d), 280 F. 653; Rothman v. U. S. (c. c. a. 2d), 270 F. 31; Finkin v. U. S. (c. c. a. 9th), 265 F. 1; Fisk v. U. S. (c. c. a. 6th), 279 F. 12.

In the following narcotic cases facts hold to constitute entrapment: Yick v. U. S. (c. c. a. —), 240 F. 60; Butts v. U. S. (c. c. a. 8th), 273 F. 35.

BRIBERY

Martin v. U. S. (c. c. a. 2d), 278 F. 913. (No entrapment.)

U. S. v. Lynch (D. C. N. Y), 256 F. 983. (No entrapment.)

COUNTERFEITING

Luterman v. United States (c. c. a. 3d), 281 F. 374. (No entrapment.)

PURE FOOD LAW

United States v. Eman Manufacturing Co. (D. C. Col.), 271 F. 353. (Held entrapment.)

ESPIONAGE

Partan v. United States, 261 F. 515. (No entrapment. See also under a collection of cases in 30 L. R. A. (n. s.) 946; 25 L. R. A. (n. s.) 449; 25 R. L. A. 341; 25 L. R. A. 349.)

I have recently heard much for and against poison liquor. It is all poison. The surest way to avoid blindness or death from poison liquor is to refuse to buy or to drink the stuff. As against poison liquor I recommend H_2O, nature's wholesome, palatable, life-giving beverage—pure water. It is superior to the white mule of the moonshiner or the 40-rod stuff sold at $10 a quart by the furtive-eyed poison purveyor from the slums.

You can easily find the liquor which God brews for us. You can procure it without money and without price. "You will not find it in the simmering still, over smoky fires choked with poisonous gases, and surrounded with the stench of sickening odors. You will find it in the green glade, the grassy dell, where the red deer used to wander, where the child loves to play; there God brews it. And down, low down in the deepest valleys, where fountains murmur and the rills sing; and high up on the tall mountain tops, where the naked granite glitters like gold in the sun, where the storm clouds brood and the thunders crash; and away far out on the wide wild sea, where the hurricane brawls music and the big waves roar—the chorus sweeping the march of God—there he brews it, that beverage of life, health-giving water. And everywhere it is a thing of beauty, gleaming in the dewdrop, singing in the summer rain,

shining in the ice gem, till the leaves seem turned to living jewels, spreading a golden veil over the setting sun or a white gauze around the midnight moon; sporting in the cataract, sleeping in the glacier, dancing in the hail shower, folding its bright snow curtains softly about the wintry world, and weaving the many-colored iris, that seraph's zone of the sky whose warp is the raindrop of earth and whose woof is the sunbeam of heaven." [Applause.]

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 20 minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. LINTHICUM. Mr. Chairman, I object, in conformity with the policy I announced the other day. I shall not object if the gentleman makes his request after he makes his speech, but I do intend to make objection to all Members asking this unanimous consent in advance of making their speeches. I think it is a wrong policy and one which has grown up in the last year or so.

The CHAIRMAN. The gentleman from Maryland objects.

Mr. WOODRUM. Mr. Chairman and gentlemen of the committee, I have asked for this time to address you upon a subject that I am sure has claimed the interest not only of both branches of Congress and the public press but of every thoughtful American citizen who is interested, not only in the position which America has assumed as an exponent and advocate of universal peace among nations but likewise in the continued security of American institutions.

On January 7 the House passed the current appropriation bill for the maintenance of our Navy, and an unsuccessful effort was made to incorporate in that bill an appropriation to begin work on three battle cruisers previously authorized by the Congress. December 18, 1924, the Congress authorized the building of eight scout cruisers, which were then considered necessary for the adequate and efficient operation of our naval forces. This authorization by Congress was based upon the deliberate judgment of experts, who advised that the Navy was badly in need of additional tonnage in this type of vessel. Appropriations have heretofore been made under which considerable work has been done upon two of these cruisers. Three other cruisers have had partial appropriations, and work will likely be begun in six months upon the building of these three ships. Three of the cruisers authorized in the act of December 18, 1924, have not been appropriated for, and it was for the purpose of beginning work upon these three cruisers that the effort was made to incorporate such an appropriation in the current naval bill. After a spirited discussion in the House, by a vote of 183 to 161 the House refused to make this appropriation. I voted for the appropriation. The bill then went to the United States Senate, and the Committee on Appropriations in its report to the Senate on January 17, 1927, incorporated an item of $1,200,000 to start the building of the last three cruisers authorized by the act of December 18, 1924. Therefore, the House will be shortly called upon to reconsider its action heretofore taken, and it is in the interest of concurring in this action of the United States Senate that I desire to make a few observations upon this subject.

The present condition and strength of our naval defense and its relation to other navies was elaborately discussed when this bill was before the House. A reference to the CONGRESSIONAL RECORD from January 4 to January 7, inclusive, will disclose much useful and enlightening information upon this subject, and I would also like to refer to the splendid and timely address of the distinguished Senator from Maine [Mr. HALE], chairman of the Committee on Appropriations, made in the United States Senate on January 21, and found in the CONGRESSIONAL RECORD of that date. Many figures, estimates, tables, charts, comparisons, and so forth, may be found in the RECORD of these days and it is not necessary here to repeat them, and I refer to that fact merely for the purpose of incorporating into my remarks this information for future reference.

THE ISSUE

The issue presenting itself to the Congress has been narrowed considerably. It may be fairly asserted that certain propositions have been agreed upon and recognized.

First. That the American Navy is at present below its relative strength as agreed upon in the Washington conference of 1921–22, which adopted the 5–5–3 ratio, and which was incorporated in the treaty between Great Britain, America, Japan, France, and Italy.

Second. That it is desirable that America should maintain at all times an "adequate Navy."

Third. That America has taken a position before the world as an advocate of universal peace, and that therefore she should not under any circumstances adopt any course or embark on any program inconsistent with that attitude.

Therefore, the issue presented to the Congress is a simple one, namely, What is an adequate Navy for the United States, considering her own national security and her desire to continue as an advocate of universal disarmament?

AGAINST WAR

May I at the outset define my own position as regards military preparedness for America? I am not a militarist. I would not knowingly lend my effort or my vote to any program that might cause America to stand before the world as an exponent of militarism in any sense of the word. I abhor war. It is useless, extravagant, and its path down through the centuries has been marked by untold economic loss, physical and mental pain and suffering, and moral and spiritual degeneration. Nor am I of that body of our citizenship who feel that there is any reason whatever now to anticipate that America will be involved to any considerable extent in any war. Even in the present day of unrest in the world's affairs there is no present reason to suppose that America is threatened or menaced by any foreign power. Yet I am unwilling that we should deliberately and unreasonably weaken our national defense on the seas, on the land, or in the air. [Applause.]

I believe that America has a great mission to perform among the nations of the earth in lending her great financial and economic resources and her political power and prestige in behalf of universal peace and the amicable adjustment of misunderstandings between nations. Yet I can not subscribe to that strange and new philosophy which seems to hold that America should not in an orderly, conservative manner supply her admitted defense needs, lest, forsooth, some nation shall accuse us of a change or heart and charge us with embarking upon a program of competition in naval armament.

DO WE NEED A NAVY?

But while there is no reason at the moment to fear any involvement for our Nation, yet I realize that we are living in an age when a great world conflagration can be ignited almost overnight. A few years before the World War it is hardly probable that any patriot in America could have prophesied coming events, and, before we hardly realized what was happening, America was forced into a position where she had to draw upon the man power and resources of our Nation to the utmost to maintain our rights on the high seas and vindicate our national traditions. I am reminded at this moment of the very timely and pertinent remarks of Monsieur Briand in his address at the Washington peace conference:

> When we say we contemplate a reduction of naval armaments, when we discuss it with ourselves, heart to heart, we could have nothing in our minds, we were speaking between friends, there is no threat of war; if there is any menace to peace, it is so far distant that you can hardly conceive it, and yet you have not assumed the right of ignoring this danger altogether—you intend to keep your navies to the extent necessary to defend your liberty and insure your life.
>
> Well, if you do that, gentlemen, on the sea, what shall we do when the danger is there at our doors and hanging over our heads?
>
> If there was any statesman—and as one I may say I have always been in favor of peace; I have assumed power for the sake of peace in very difficult conditions where my country was feeling natural impatience at the state of things; I formally attached myself to the cause of peace; I fastened my heart on that noble task, and I may say that if ever peace is to be disturbed in the world, I shall not be the one to disturb it. But, gentlemen, precisely because I have urged everybody on the road to peace, because I have done everything in my power to obtain peace, I feel all the more the great weight of the responsibility which I have assumed, and if to-morrow, because I shall have been too optimistic, I saw my country again attacked, trampled under foot, bleeding because I had weakened her, gentlemen, I should be a most despicable traitor.

But let it be not supposed that the only need for naval strength is that we may be in a position to wage aggressive warfare. True it is that the—

> ruling passions in the annals of time of great nations abroad has been the conquest and subjugation, acquisition and annexation, destruction of the weak and helpless—always added power and prestige by might alone.

The American story is quite different. By tradition we are a peaceful people. We have never waged war for conquest. When our battle flag has unfurled it has always been in the defense of America and her rights. Generosity and friendliness has always marked our treatment with other nations, friends and foes alike. America now has no hostility for any nation. There is no territory we desire to acquire, no peoples we desire to conquer. We desire peace and a right to be let alone to enjoy continued progress and prosperity. [Applause.]

America must maintain an "adequate navy" to protect the lives and property of her citizens who are lawfully in foreign lands, and to carry out our duty under the Monroe doctrine to afford protection to other nationals who may be in territory over which we have promised such protection. With a war cloud hanging in the horizon to the south of us, and the increasingly complex situation developing in the Far East, this need alone should cause us to inventory our naval strength with the greatest care and concern.

America must be prepared to protect her rights upon the high seas. With our increasing capacity for production in almost every line of economic endeavor, our immense surpluses to be disposed of in foreign markets, we are rapidly becoming the great outstanding competitor of all the nations in the matter of the commodities necessary for industry and food and clothing. We must be prepared at all times to insure our right to uninterrupted commerce upon the high seas. And then there are many commodities America must have from abroad, and the lanes of commerce must be kept open that we may be able to buy in foreign markets.

Theodore Roosevelt, early in his marvelous career, realized the great need of a Navy to protect the economic and commercial interests of our Government. His first literary work, "The Naval War of 1812," written soon after he graduated from Harvard, contained this observation:

> Had America possessed (in 1812) a fleet of 20 ships of the line, her sailors could have plied their trade unmolested, and the three years of war, with its loss in blood and money, would have been avoided. From the merely monetary standpoint such a navy would have been the cheapest kind of insurance, and morally its advantages would have been incalculable, for every American worth the name would have lifted his head higher because of its existence.

Let us therefore profit by the experience.

THE WASHINGTON CONFERENCE

It might be worth while at this point to briefly recall what happened at the Washington conference for the limitation of naval armaments, which convened in the City of Washington at the request of President Harding in 1921–22. The distinguished President of the United States, prompted unquestionably by the very highest motives of patriotism and humanity, invited the Governments of the British Empire, France, Italy, and Japan to participate in a conference on the subject of a limitation of naval armaments. It is not my purpose to undertake to appraise the sum total results of that effort, or to place any criticism upon the distinguished gentlemen who represented America in that conference. That it was a step in the right direction none will deny; that it accomplished much good all will admit; but as evidence of our desire to promote universal peace and good will among the nations, and to end the mad rush for naval and military supremacy among the nations, America offered, and made a sacrifice of her Navy which was the most—

> magnificent gesture in the interest of peace ever recorded in the annals of civilization.

AMERICA'S SACRIFICE

America in 1922 was engaged in a naval program which, by the year 1925, would have given her the greatest Navy of any nation on earth. No power, Great Britain included, could have approximated the naval strength of America when she had completed her program. We had in the process of building, seven battleships, and six battle cruisers, for which we had appropriated over $350,000,000, and they were from 35 to 45 per cent completed. Great Britain had a small naval program. Japan had just completed two ships and had plans drawn for others.

In the interest, however, of world peace, the Washington conference, after much consideration, adopted the 5–5–3 ratio of naval strength for Great Britain, America, and Japan, and as a result of that America was called upon to make a stupendous sacrifice of our naval strength. The total tonnage that America scrapped as a result of the treaty was 842,380. The total tonnage scrapped by Great Britain was 447,750. The tonnage scrapped by Japan was 354,709. Be it noted here that America scrapped nearly twice as much tonnage as Great Britain. The line ships scrapped by America were 19. Of these, only two were obsolete vessels. Great Britain scrapped 22 vessels, and of these 18 were obsolete. Japan scrapped 12 vessels, and none were classed as obsolete. And that was not all. America was called upon to scrap 13 vessels which were either new or in the course of construction, and upon which, as stated, many millions of dollars had been expended. Great Britain scrapped no new vessels, Japan 4. France and Italy had no vessels in the course of construction and agreed to scrap none. Therefore it may be seen from these figures what a tremendous sacrifice the American Government made in the interest of this cause. The provisions of the 5–5–3 ratio did not apply to auxiliary craft, and therefore did not apply to battleships of the light-cruiser type, but only to capital ships. Therefore, since the adoption of the Washington treaty, Great Britain has continued to build battle cruisers and so has Japan. America has authorized 8 cruisers and has only commenced work on 5 of them. The total of all modern light cruisers built, building, or appropriated for is, Great Britain 54, Japan 25, and America 15. While it is true that the provisions of the 5–5–3 ratio did not in letter apply to the cruiser type of vessel, yet it may be readily seen that the present relative strength of America in this important branch of naval strength is far from the ratio agreed upon in the Washington conference. In all types of naval vessels laid down since the Washington conference the United States has laid down 16 vessels, of which 6 are river gunboats used for police purposes. Similar vessels have been laid down by the other powers, but disregarding these small boats which have no fleet value, the figures are as follows: The United States has laid down 10 vessels, Great Britain 33, Japan 112, France 87, Italy 46; therefore it would seem to be idiotic to say that when America proposes to commence the construction of three light cruisers to complete her program provided for in 1924 we are thereby making a gesture that might be considered by some power as embarking upon a policy of competition in naval armaments. The Secretary of the Navy has said that it would take 22 light cruisers to put America on a parity with Great Britain, as provided for in the Washington conference.

WHAT IS AN "ADEQUATE NAVY" FOR AMERICA?

Under some circumstances this question might be the subject of debate and conflicting opinions. The extreme pacifist might think that little or no navy was adequate. The militarist might require embarking upon a superbuilding program that would give America such a naval force upon the high seas that it would strike terror to the hearts of all the nations of the earth; but, fortunately, we are not left to speculation or debate or conflicting opinions. There has been a definite and a solemn adjudication by the Congress of the United States upon this subject. When the treaty resulting from the Washington conference was ratified by the Congress, then and there America went upon record before the nations of the earth as declaring that it was necessary for the protection of our citizens and their property and the protection of our rights upon the high seas and our commerce to have a navy equal in strength to that of Great Britain and a navy based on the ratio of 5 and 3 with Japan; and while America ought not to violate in letter or spirit her solemn treaty, yet, as one humble Member of the legislative branch of the Government, upon which is placed the duty by the Constitution of providing for the national defense, I am unwilling that the naval strength of America should at any time fall below that ratio until and at such a time as it may be clearly demonstrated that the other nations involved are willing to join hands with us in a still further reduction of naval armaments.

When America ratified the treaty for the limitation of naval armaments, she then and there defined what she considered an "adequate" navy for America. By agreeing to scrap certain of her ships, and thus abandon her program for a supernavy, she gave up that part of her Navy in excess of her needs for defense; but by providing the 5–5–3 ratio of strength she claimed the right and announced the principle that her naval strength should be equal to Great Britain. Not only did America define what should constitute an "adequate" navy but by becoming parties to the treaty Great Britain, France, Italy, and Japan likewise agreed that such a navy was necessary for America.

Even with the building of these three cruisers America will be pathetically behind and below the ratio provided by the Washington conference. I am unable to understand the reasoning of the legislative or Executive mind that concludes that because America in a belated way proceeds upon a conservative program for her Navy, under the terms of which she is still far below the strength to which she is entitled under the letter and spirit of her treaty, that she has thereby and therein committed any act or gesture which might be inconsistent with her desire to reduce and limit naval armaments. Not only that, but let it be remembered that the very act of December 18, 1924, authorizing the cruisers, provides that—

> In the event of an international conference for the limitation of naval armaments the President is empowered to suspend in whole or in part any of this building program.

NO SIGNS OF WAR

I do not think it is conceivable that conditions could ever arise whereby there could be any serious misunderstanding between Great Britain and America, and certainly there is no

cloud upon the horizon at the present moment. On the contrary, there are many reasons why these two great English-speaking countries should continue down through the centuries upon terms of amity, friendship, and understanding. Yet I am not ready to admit that there is any reason why Great Britain should have a naval force so greatly superior to that of the American Government. Great Britain has always been jealous of her title as "mistress of the seas." It may be well to recall that when Mr. Wilson was in Paris in 1919 in the great peace meeting, what was tantamount virtually to an ultimatum was laid down to the American Nation by Great Britain. Mr. Lloyd-George took occasion to make it known in no uncertain way to President Wilson and his Secretary of the Navy, Mr. Daniels, that Great Britain would not consent to any other nation having the supremacy of the seas. "Britain must control the sea" was the dictum. In a recent interview given to some of the leading American papers, Mr. Josephus Daniels made this remarkable statement about the attitude of Great Britain in Paris in 1919:

Mr. Lloyd-George can not support the League of Nations unless the United States will agree to cease the construction of its big naval program. Great Britain can not consent to any other nation having the supremacy of the seas.

That was the surprising statement, delivered in the quiet tones of an ultimatum, conveyed to me as Secretary of the Navy of the United States, in Paris on Monday, March 31, 1919, by Walter Long, first lord of the British admiralty. It came as the conclusion of a discussion that precipitated the naval battle of Paris between British and American naval officers and officials. * * *

The Washington conference, hailed as a notable achievement for America, was in fact a sweeping victory for the British demand made first in Paris that the big 16-inch gun ships ordered by Congress should not be completed. Never for a moment from the time the United States entered the World War did the British fail to keep in mind their fixed resolve that these ships which would enable American capital ships to outrange British capital ships should never be commissioned.

OUR DUTY TO AMERICA

And while, as I have stated, there is no present reason to suspect that America will be called upon for the use of our naval forces to any considerable extent in the near future, yet Congress as the legislative branch of the Government can not justify itself in the eyes of the American people should it fail to make adequate and proper provisions for our defense. To my mind the distinguished Speaker of the House of Representatives struck the keynote of the whole matter when this bill was before the House for consideration. Speaker LONGWORTH, who was on the floor of the House, made this timely observation:

I think the gentleman will agree with me that while under the treaty we owe an obligation to the nations participating in the treaty not to exceed the ratio provided, we owe an equally great obligation to the American people to see that we do not go below the ratio.

[Applause.]

Volumes could be written and hours could be consumed in debate, and yet our duty could not be more clearly stated. We owe a duty to the American people and we should courageously perform that duty. The gentlemen who have opposed the appropriation for these cruisers in the House and in the Senate have based their opposition usually upon one of two grounds: First, that America has taken a position as an advocate of a limitation of naval armament, and that she should make no gesture that might be construed by other nations as a revival of competition in armaments; or, second, that we should delay the matter because the President hopes to have another disarmament conference.

In my judgment, partly for reasons that I have tried to point out, it is unthinkable that the mere fact that we appropriated for three cruisers, heretofore authorized, as a part of an orderly, conservative, defense program, would be noticed by the other nations and construed as an intention to embark upon any considerable program of naval armament.

AMERICA'S STANDING

Will Rogers says:

There is only one way that America could make European nations hate her more, and that would be to help them win another war.

The universal ill-feeling toward America in Europe is an open secret. It is attested by travelers who have been there. It is given expression in the public press and in the forum. In England we are called "Shylocks," in France, "Swine," and in Belgium, "Traitors." It has been said that America is without a real friend among the nations. There are many reasons that may account for this feeling. In the first place, they are envious of our economic and material progress; they are jealous of our financial supremacy; they bitterly resent the fact that America claims to have played so important a part in the winning of the World War; and they are sensitive because we emerged from that great conflict almost without a scar. We did not pay enough for the glory we claim. These are very human elements that enter into the consideration, but nevertheless they are elements that we may well bear in mind. At least, there is not such cordiality and brotherly love being manifested toward America at the moment as leads me to feel that the time is opportune for demobilization, and the patriot who deliberately shuts his eyes to these conditions, pregnant as they are with possibilities, is living in a "Fool's paradise," and destined some day to be rudely awakened by the bugle call of "Boots and saddles," or the shock of bursting shell.

THE DREAM OF PEACE

The dream of universal peace is, indeed, comforting. Since the beginning of time man has dreamed of that day when love and brotherhood would be the universal law. The poet has sung of that day:

When all crime shall cease,
And ancient fraud shall fail,
Returning justice lift aloft her scale,
Peace o'er the earth her olive wand extend,
And white-robed innocence from heaven descend.

It is a beautiful dream. Its realization will usher in a new day for civilization. Toward that day all of us do devoutly look, but to those of us who may refuse to close our eyes to the stern facts that surround us we must know that as yet it is but a dream; that its realization lies beyond the horizon of the present generation. Since the beginning of time every step in human progress has been made only after a struggle against those forces that opposed it. The foundation of government by law was for the purpose of compelling man to live in justice and in peace with his neighbors and society, and I venture to suggest that as long as nations are composed of men and as long as the hearts of men are moved and influenced by impulses of envy, greed, and covetousness, then just so long will men and nations be compelled to be ready and willing not only to defend their right to peace and progress but to defend and enforce those rights by arms if necessary.

NATIONAL PREPAREDNESS

This is not a new thought. It is as old as time and has many times been eloquently expressed from the lips of great men. In one of his messages to the Congress on the need of military preparedness the first President of the United States, George Washington, made this eloquent observation:

Among the many interesting objects which will engage your attention that of providing for the common defense will merit particular regard. To be prepared for war is the most effectual means of preserving peace.

And upon another occasion Alexander Hamilton enunciated this principle of national efficiency:

We ought to be in a respectable military posture, because war may come upon us, whether we choose it or not, and because to be in a condition to defend ourselves and annoy any who may attack us will be the best method of securing our peace.

Pages might be consumed in quoting from great Americans who have voiced these sentiments. Theodore Roosevelt has been called the father of the American Navy. Herewith is a characteristic sentiment by this great American:

A GREAT NATION SHOULD NOT BLUFF

(Address at Williams College, Williamstown, Mass., June 22, 1905)

I demand that the Nation do its duty and accept the responsibility that must go with greatness.

I ask that the Nation dare to be great, and that in daring to be great it show that it knows how to do justice to the weak no less than to exact justice from the strong.

In order to take such a position of being a great Nation, the one thing that we must not do is to bluff.

The unpardonable thing is to say that we will act as a big Nation and then decline to take the necessary steps to make the words good.

Keep on building and maintaining at the highest point of efficiency the United States Navy or quit trying to be a big Nation. Do one or the other.

The present distinguished Chief Executive, at least upon one occasion, recognized the force of this truth. Some months ago each Member of the Congress received an attractive little volume entitled "World Chancelleries," edited by Mr. Edward Price Bell, and dedicated to the memory of Victor Vernon Lawson. The introduction to that very attractive little volume was written in November, 1925, by President Coolidge, and in the course of his introduction he made the following observations, which I find it quite hard to reconcile with his present attitude on this appropriation.

Humanity, with reference to the danger of war, is to-day in a position different from that which it occupied yesterday. Wars once sprang from varied causes—biological, racial, dynastic, political, commercial, personal. Wars were sought. Wars were planned. Wars were a part of the accepted rationale of organized human life.

Those days, we venture to think, are past. But if they are, it does not follow that the danger of war is past. War may be, and doubtless is, less probable than it was. Its real nature, its horror, and unmitigated calamity, are more poignantly and widely realized than they were. Yet so imperfectly do races and nations understand one another, so perplexing are many of their multiplying relationships, so restless are certain forces of evil, so insecure are the psychological bases of peace that humanity truly may be said to live constantly in the shadow of the possibility of war.

Not in war deliberate, but in war accidental, seems to lie the principal present peril. We have a world psychology more inflammable, more explosive than it ought to be. There is tinder about. There are powder mines. Any flying spark is dangerous. Our War with Spain, as we all remember, was precipitated by the sinking of the *Maine;* and the Great War, whatever may have been its antecedents of history and of rivalry, rushed upon the world out of the Sarajevo assassination. We need fortification against accidents. We need an international mind more stably balanced against sudden shocks.

But it may be fair to say that the above quotation was written by President Coolidge, the philosopher, and that his present attitude is that of President Coolidge, the economist.

THE MOUNTAIN LABORED AND BROUGHT FORTH A MOUSE

But why all of this agitation about preparedness and the relative strength of navies? Why all of this useless discussion of the necessary and required strength of the American Navy? Why waste all this time on disarmament conferences, and so forth? Behold, the problem is solved! The answer has been given. The formula for national security has been laid down by the "Commander in Chief of the Army and Navy."

The President, in addressing the executive officers of the Government on January 29, 1927, departed from custom in discussing the financial and economic condition of the Government long enough to make a memorable pronouncement upon the subject of preparedness.

I am for military preparedness—

Says the President.

It is a question to which I always give the most serious thought in my recommendations in my Budget message.

As Commander in Chief of the Army and Navy the Chief Executive of this Nation has an emphatic responsibility for this phase of our welfare.

Ah, sirs! Picture, if you can, our President preparing his Budget message. And always at this season, 'mid the maze of dollar marks and estimates, and cuts and slashes, his thoughts "always lightly turn" to the "question of military preparedness"! Picture him, I say, with knitted brow, bowed under the awful weight of the responsibility of the Chief Executive as he prepares his Budget message and is thinking of military preparedness. Imagine, if you please, his travail of spirit as he ponders this subject that has for ages baffled the mind of man. Seeking, groping for an answer.

But, listening world, take heart. Ye would-be statesmen, editors, writers, and so forth, cease your prattle, for the light has broken. The answer is here. Harken ye, the Commander in Chief is about to speak. Continuing, the President said:

What we need, and all that we need, for national protection is adequate preparedness.

There you have it. The issue is solved. And who will have the hardihood to challenge the deep-striking truth of this pronouncement? So clearly expressed; with such convincing logic; and such profound philosophy.

But, mark you, gentlemen, I fear you do not appreciate the unbounded possibilities contained in this classic formula. Why can it not be applied to other great problems that now baffle the finite minds of men? Take the farm problem. Ah! There is a problem. What about the poor farmer?

What they need, and all that they need, for prosperity is adequate prices.

Think of it! How simple the remedy! Why had not some master mind thought of this before? But let us not stop. Take tax reduction. Ah! There is the rub. The taxpayer usually gets it where the proverbial chicken got the ax. What about the poor taxpayer?

What he needs, and all that he needs, for national prosperity is lower taxes.

Marvelous!

But to return again to the formula for national security. It has another quality that is quite characteristic. It can offend no one. The pacifist will be pleased, the militarist hopeful, and sister nations, insolent and belligerent though they be, will doubtless be impressed. (Will some one please page the honorable mayor of Beverly Hills?)

NOW TO BE SERIOUS

I would be the last Member of this House who would want to assume an attitude of hostility to our Chief Executive or to treat flippantly any utterance of the President worthy of serious thought. I differ with him often and radically. Upon the other hand, I have agreed with him on many occasions. I have more than once found myself standing almost alone among my Democratic colleagues when I have agreed with the President. Many of his qualities I admire. Of his high and lofty patriotism and sincerity there can be no possible question, but I am equally convinced that he is gravely in error in his willingness to see the American Navy reduced to a woeful and inefficient condition in the present state of world affairs.

Until such time as all nations of the earth can meet and agree upon some plan to reduce naval and military strength, I want to see America go forward with a steady, orderly, and progressive strengthening of her Military Establishment on the seas, on land, and in the air, so that at all times she may not only be willing but ready and able to defend her traditions and protect her citizens and their property. [Applause.]

I have said that in the present state of world affairs there is little to lead us to expect anything approaching universal peace in the near future. Such a statement seems to be abundantly justified when we inventory the happenings of the day in Europe, shot through as it is by passions, misunderstandings, and ambitious rulers thirsting for power and domain.

AMERICA'S MISSION

America must ever be ready with her good offices, her economic strength, and her political prestige to counsel and advise upon an amicable settlement of these varied disputes; and while a realization of the dream for universal peace, certainly so far as it affects Europe, may lie for future generations to enjoy, yet we can have peace in America.

PEACE BY PREPAREDNESS

America can be spared the wasteful effects of another war. American boys can be spared the awful experience of the boys in the recent war. American homes can be spared the horror and the heartaches that ever follow in the wake of conflict. We can be spared all of this by putting ourselves in such a position with reference to our national defense that the nations of the earth may know that not only does America stand for peace among the nations of the earth but that she demands peace for her own territory; that America will protect her citizens and their property wherever they may rightfully be; that not only does America stand for freedom of the seas for all nations but that she will demand freedom of the seas for her own commerce; that not only will America refrain from involving herself in European entanglements but that she is in a position to successfully resist any effort to cause her to be so involved. It has many times happened in the history of the world that the only way to have peace was to fight for it, and the poet has said, "He only deserves freedom and liberty who is prepared to win it for himself every day." No, sirs; the time is not yet come when America can strip herself of her arms and stand naked and defenseless before the world, relying for protection only upon the beauty and glory of her innocence and the lofty ideals for which she stands!

O freedom! Thou art not, as poets dream,
A fair young girl with light and delicate limbs,
And wavy tresses gushing from the cap
With which the Roman master crowned his slave
When he took off the gyves. A bearded man,
Armed to the teeth, art thou; one mailed hand
Grasps the broad shield and one the sword; thy brow,
Glorious in beauty tho' it be, is scarred
With tokens of old wars; thy massive limbs
Are strong with struggling. Oh, not yet
May'st thou unbrace thy corselet nor lay by
Thy sword; nor yet, O freedom, close thy lids
In slumber; for thine enemy never sleeps,
And thou must watch and combat 'til the day
Of the new earth and heaven.

[Applause.]

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. Chairman and gentlemen of the committee, I have sought the floor at this time not for

the purpose of making a speech but to make a practical suggestion. [Applause.]

I thank my friend the gentleman from Louisiana [Mr. WILSON] for his applause. I construe it as a realization on his part that fewer speeches and more practical suggestions are needed in the House.

Next week we are to consider the important subject of farm relief legislation. Before the debate begins and Members align themselves as champions of the various bills, I want to discuss an amendment that should appeal to the sound, sober judgment of both the advocates and the opponents of the three bills that will be discussed, namely, the Haugen bill, the Aswell bill, and the Crisp bill.

I realize that when formal consideration of a bill is begun that sentiment at that time has usually so crystallized that it is exceedingly difficult to have any proposal for a change in a bill seriously considered. The proponents of the bill usually fight all amendments; and the opponents of a bill, thinking that the best way to encompass its defeat is not to perfect it, likewise vote against amendments; and as a result, a Member who attempts to change a bill in any respect has about as much chance of success as a Democratic candidate for office would have in the State of Vermont.

I had that unhappy experience at the last session of Congress, when the McNary-Haugen bill was being considered, and I offered a perfectly good amendment, only to witness its overwhelming defeat; and I saw other Members offer equally good amendments share the same fate. My colleague from Texas [Mr. CONNALLY] was among the number.

I want to direct your attention now to an amendment which I shall offer to each of these bills when the time arrives for the consideration of amendments.

It is applicable to each of the three bills. It does not in any manner affect or change the terms of the bills as they are now written. It would simply place a time limit upon the existence of the bill if enacted into law. In other words, it would provide that at the expiration of a given period from the enactment of the bill, say for a period of not more than five years, the bill would be automatically repealed unless affirmative legislation should be enacted to extend it.

It will be conceded, I think, by the authors of each of these bills, that they are experiments. The plans proposed in each and all of them are new and untried as applied to America, and what will be the result is largely one of speculation. The advocates of each think that their particular bill will bring the desired relief to agriculture, but whether or not it will do so remains to be seen.

If the legislation to be enacted is of an emergency character and in the nature of an experiment, should not the existence of the law be limited to a definite period of time—a period sufficiently long to give the plan a fair trial, say for five years, and in that time we can test the efficacy of the remedy. If it works, it will be easy to reenact for another fixed period, or indefinitely.

I am glad to see the author of one of the bills, the gentleman from Georgia [Mr. CRISP] is present. I regret the authors of the other two bills are not on the floor at this time. The gentleman from Georgia [Mr. CRISP] thinks his bill will solve the problem. The gentleman from Louisiana [Mr. ASWELL] is equally certain that his bill will meet the conditions, and the gentleman from Iowa [Mr. HAUGEN], whose name has become linked with his measure, doubtless believes that his bill will bring relief. Now, if they have faith in its success, why not incorporate an amendment in which if the bill passes, that it shall be given a fair and impartial trial for a period of years, and then at the expiration of that time the legislation, if found to be workable and satisfactory, there is no question but what the life of the bill could be extended for another period of years, or possibly indefinitely.

Mr. CRISP. Will the gentleman yield?

Mr. JOHNSON of Texas. Gladly.

Mr. CRISP. I think there is a great deal of merit in the gentleman's suggestion, because all must concede that legislation of this character is experimental. If any of the bills were passed and work, as the authors believe, to the interest of agriculture, they would be continued in operation. If they work unjustly, they could be revised before the period of five years, and for those reasons, as far as I am concerned, I would not oppose an amendment of the character which the gentleman mentioned to the bill I introduced. [Applause.]

Mr. JOHNSON of Texas. I thank the gentleman.

Mr. BLANTON. Will the gentleman yield?

Mr. JOHNSON of Texas. With pleasure.

Mr. BLANTON. Did the gentleman ever investigate to see where Congress has placed a limitation on the life of a bureau it creates, just how many years it takes Congress thereafter to get rid of the bureau? Because when you place hundreds of men on the pay roll of the Government in a bureau and the time for its termination arrives, these employees besiege Members, and I have never seen Congress able yet to get rid of the bureau for years and years.

Mr. JOHNSON of Texas. In reply to the statement of my colleague from Texas I want to say that we could come nearer to getting rid of a bureau, if thought necessary to do so, if we had a time limit fixed than if the law continued it indefinitely. Under my amendment the law and all offices created thereby would automatically cease to exist at the expiration of the period fixed. Without it affirmative action would be necessary to abolish them.

A majority of this House want to help agriculture.

Mr. BLANTON. I agree with the gentleman. I have reached this conclusion myself: That I am for some kind of farm relief being passed before we adjourn. I am against the uneconomic provisions that still remain in the new McNary-Haugen bill, but I am going to vote for the Aswell bill first and for the Crisp bill next; and if it comes to a show-down and it looks as though we were not going to get any kind of farm relief legislation otherwise, I shall vote for the new, amended McNary-Haugen bill, with all its uneconomic possibilities, for we must pass some kind of farm relief before we adjourn. The producers are entitled to relief. And I am going to vote for the best bill possible.

Mr. JOHNSON of Texas. I think the membership of this House seriously desires to pass some legislation that will be beneficial to agriculture. By this amendment I am seeking to assist in the passage of farm-relief legislation. Many Members will vote for a bill as a temporary expedient, if the act so declares, who would not be so inclined if it should be permanent in character.

The gentleman from Texas [Mr. BLANTON] says boards are difficult to abolish. I agree with him, and that is one reason why I am going to offer this amendment. It is more difficult to repeal legislation than to enact it, and it is almost impossible to repeal legislation if offices are created thereby; and each of these bills creates a large number of offices to carry into effect the terms and provisions of the bills.

Mr. BLANTON. Yes. If it should be proven that it is salutary legislation, there will be no necessity of abolishing it at the end of five years. We are carrying now no end of boards and commissions that ought to have been abolished 20 years ago. We are still carrying them in the appropriation bills.

Mr. JOHNSON of Texas. If the legislation works successfully, if it brings the predicted relief, it will be an easy matter to extend it for a given period or for an indefinite period. Some of the boards heretofore created, or institutions operating thereunder, have been for a limited period of time. We did that in the case of national banks directed by the Federal Reserve Board. Why should we establish for an indefinite period the various agencies created under these bills?

Mr. UPSHAW. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Texas. Yes; I yield to the gentleman from Georgia.

Mr. UPSHAW. Does the gentleman believe, in consideration of the fact that many of us have honest misgivings as to this legislation, that by the incorporation of the gentleman's amendment a repeal of the act would be made less difficult?

Mr. JOHNSON of Texas. Yes. I am certain that it will make it much less difficult, as I have already pointed out. It is from no motive of hostility to farm relief legislation that I offer this amendment; but on the contrary, on account of my desire to assist in passing some such legislation. I think my amendment, if adopted, would win support of some Members, who otherwise would vote against all of these bills. Such an amendment would make any or all of these bills more attractive to me.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Texas. Yes.

Mr. HASTINGS. The gentleman does not say that there was a time limit to the Federal Reserve Board?

Mr. JOHNSON of Texas. No; but the banks operating thereunder are limited. There is no time limit in any of these bills to any of the boards or advisory councils or other agencies created thereby.

Mr. HASTINGS. The gentleman's amendment is to place a time limit on the entire act?

Mr. JOHNSON of Texas. Yes; for the reasons I have already given.

Mr. BLACK of Texas. In reference to the Federal reserve act, it was provided that the banks, the machinery under the act, would have a life of 20 years, and at the end of that time

it would be necessary for them to come back and show justification of their work and secure a renewal or continuation of their charter. I think that the Federal reserve banks now, under no circumstances, ought to be chartered for a greater length of time than 20 years after the expiration of their charter. I think the gentleman's amendment is thoroughly sound, and by all means ought to be adopted.

Mr. JOHNSON of Texas. I thank my colleague. I followed his leadership in opposing the granting of charters for an indefinite period of time to national banks.

Mr. BLANTON. I agree with my colleage as to the value of the limitation. But there is an attempt now in the case of the new McNary-Haugen bill to suspend certain operations of that bill for two years. Now, what is the use of passing a bill if you make its application date two years in advance?

Mr. JOHNSON of Texas. Well, as to that, I would not like to be diverted from the discussion of my amendment to take up other features of either of the bills at this time. In the brief time given me I shall not undertake to discuss the merits or demerits of any of these farm-relief measures.

Mr. BLANTON. I think if the original McNary-Haugen bill had been passed as it was framed its provisions would have ruined all our Texas cotton farmers, so that it has been of benefit to our cotton farmers that it did not pass that bill and that our action has forced it to be amended in many vital particulars.

Mr. JOHNSON of Texas. What I am trying now to do is to get those sponsoring these bills to agree to an amendment whereby those who may not agree in principle with the legislation will, on account of the emergency that exists, be persuaded to accept it with this amendment.

In the crisis that confronts the agricultural interests of America and our desire to alleviate the intolerable conditions which now exist—in our zeal to pass beneficent legislation for the greatest of all industries—let not our judgment become warped by our enthusiasm or our vision be clouded so that we will write permanently upon our statute books any plan or system until it has been given a fair trial and its fruits and effect fully determined by the American people.

I say to the authors of each of these bills, if you have faith in them, if you believe that your bill will solve the problem that now confronts us, you will be, or at least should be, willing that it shall first be given a fair trial before it shall become the permanent and fixed policy of the Government.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I must say in advance that I have some 15 requests for time. Some gentlemen are going to be left out, and therefore I can not extend the time further than that yielded.

Mr. Chairman, I yield 20 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

H. R. 8902, KNOWN AS THE GENERAL CONTRACTORS' BILL, UNNECESSARY AND EXPENSIVE TO THE TAXPAYERS

Mr. WHITTINGTON. Mr. Chairman and members of the committee, the construction work of the Government is now largely done by contract. The laws in force impose certain restrictions upon letting contracts and have successfully protected the interests of the people. There has been in recent years no increase in the percentage of Government work done by hired labor as compared with that done by contract. The proposed legislation would impose regulations that could have no beneficial effect and would increase the costs of construction. Government improvements, including public buildings, highways, and bridges are now generally done by contract.

THE PROPOSED BILL

The title of this bill is really misleading. Instead of regulating and safeguarding the disbursement of public funds, it would be more accurate if the bill were entitled "An act to increase the cost of river and harbor work."

The bill provides in section 1 for estimates on every project; in section 2 for public contracts for all projects in excess of the estimated cost of $25,000, and not constituting maintenance or repair; in section 3, undertakes to provide for public emergency, when estimates and competitive bids may be eliminated; in section 4, provides for rental and sale of Government-owned equipment; in section 5, undertakes to define maintenance and repair; as well as in section 6, to define the meaning of construction projects; in section 7, stipulates that estimates shall include charges for equipment, and that the estimates be made public at the time of the opening of the bids; and provides in section 8, that any person willfully violating any provision of the act shall be summarily removed from office.

This is not a new subject; it has been before Congress in one form and another for many years. The Senators and Representatives interested in river and harbor work are opposed to the bill. Three years ago the contractors undertook to secure an amendment to the War Department appropriation bill that provided that 75 per cent of the levee work on the Mississippi River should be done by contract. The plan failed.

Not only the hearings before the Committee on Appropriations in 1924 but the hearings before other committees in 1915 and 1919 on similar bills have convinced all the committees that the present law ought not to be changed. The above bill as reported by the Judiciary Committee is quite different from the bill as originally introduced. Many changes and amendments have been made; the bill has practically been rewritten. The fact that so many changes have been made shows that the committee itself was really in doubt as to the merits of the bill.

THE PURPOSE

Practically all of the work done by the Government by hired labor is river and harbor work, which is under the direction of the Corps of Engineers of the Army and largely under the Mississippi River Commission. This work is divided into four general classes:

1. Levee construction.
2. Bank revetment.
3. Dredging.
4. Lock and dam construction.

This work may now be done by day labor, and a large part of it of necessity is done by day labor, but the intent of this legislation is to require all this work to be done by contract.

There is a reason for the Government heretofore having done a great deal of river and harbor work by day labor. It is largely emergency work. Moreover, it was necessary for the Government to provide and to own equipment to maintain and to repair river and harbor work. It is estimated that the value of such equipment now owned by the Government is approximately $57,000,000.

The Mississippi River Commission now has invested in revetment equipment and in levee machinery more than $12,000,000. Large equipment is necessary to do maintenance and repair work. Inasmuch as the Government must maintain this equipment, is it not wise that the executive departments of the Government charged with the responsibility of the work should have the discretion of using the Government equipment and doing the work by day labor if costs can be saved?

Most of the equipment consists of modern machinery which contractors do not own. The old method of levee construction can not compete with the machine method of levee building.

Again, the Government had to buy large equipment to do levee construction during the war period, because contractors were unable to do the work and because of war prices and the scarcity of labor.

Moreover, levee construction has been done more cheaply by day labor than by contract. I quote from the statement of Col. C. L. Potter, president of the Mississippi River Commission, in the hearings before the Subcommittee on Appropriations on February 11, 1924, page 1728:

> In 1923, Roach, Stansell, Lawrance Bros. & Co. bid on 270,000 cubic yards at Dennis, which would have cost us 33 cents. We did it for 24.9 cents and paid for a very expensive machine breakage.
>
> In the fourth district I have a list of bid prices and costs by machine after rejecting bids, involving millions of cubic yards in 10 separate works. The actual savings were 3 cents, 5.3 cents, 4.3 cents, 8.4 cents, 13.4 cents, 0.8 cent, 11.2 cents, 19.1 cents, 21.8 cents, and 15.1 cents. These are all completed works, where the cost is accurately known, and there is no guesswork about it.

The Chief of Engineers estimated the cost of Dam No. 7 on the Monongahela River at $605,749.99. Bids were opened on December 22, 1924, the lowest being $769,320.66 and the highest being $843,309.79. All the bids were rejected, and the work was done by the engineers with hired labor for $630,000. There was thus a saving of $139,000 on this one project.

The bill does not clearly give the Government the right to reject any and all bids. It does not properly provide for river and harbor work. The general policy of the Corps of Engineers has always been and is now to do all work practicable by contract when a reasonable bid can be obtained.

But I maintain that frequently the Government is able to do the work more cheaply and more economically by having machinery.

Mr. BLANTON. Will the gentleman yield?

Mr. WHITTINGTON. I gladly yield.

Mr. BLANTON. If the gentleman will look in the RECORD of January 28, 1926, he will there see where I called the attention of the committee to the work done by Major O'Connor on the Mississippi levees and the gentleman will find that the committee of expert engineers, Huffstetter, McChilds, and Elam, who checked him up, found that on account of one defect in the work he had done with day labor we would have to remove 5,000,000 cubic yards of dirt at a cost to the Government of $1,000,000, and that on account of another defect in the levee, which work was done by day labor, we would have to remove 400,000 cubic yards of dirt which would cost the Government $120,000. Now, these were defects right in the very Mississippi Levee that the gentleman speaks about.

Mr. WHITTINGTON. I am familiar with the work referred to.

Mr. BLANTON. They had covered up entire trees with dirt, great, big trunks that were a foot and a half or more in diameter, which the engineers said in the course of time would have caused leakages and destroyed the entire levee.

Mr. WHITTINGTON. I will say in reply to the statement of the gentleman from Texas that I am thoroughly familiar with the case he refers to and that is an old story and the illustration he uses has served its day and generation. That matter was brought to the attention of the Committee on Appropriations in 1924. There was a mistake made in one case and that is the only case that has ever been cited. I respectfully submit that the agents of the Government are human and they are likely to make one mistake, but that mistake cost nothing like the amount the gentleman has mentioned.

Mr. BLANTON. That is what the Committee of Engineers said it would cost.

Mr. WHITTINGTON. But the Committee on Appropriations turned down the proposition to amend the present law after hearing the testimony on that particular case in 1924, and similar amendments were reported in 1915 and 1919. So I say that every previous committee of Congress that has investigated the matter, including the very case that the gentleman has cited, has absolutely refused to be bound by it. Every one admits there was a mistake made, but because one mistake was made is no reason why the governmental agencies should be hampered by the proposed legislation.

Mr. WILSON of Louisiana. Will the gentleman yield?

Mr. WHITTINGTON. I yield to my colleague.

Mr. WILSON of Louisiana. Is it not a fact that the Mississippi River Commission and the Chief of Engineers knew nothing about the defective work referred to by the gentleman from Texas, but after their attention was called to it, a thorough investigation was made, the defect was cured, and there has been no recurrence of anything of that kind since?

Mr. WHITTINGTON. Absolutely.

Mr. WILSON of Louisiana. The Congress passed on that case two years ago. The gentleman from Iowa [Mr. DICKINSON], I think, was a member of the subcommittee of which the gentleman from Kansas [Mr. ANTHONY] was chairman, and the committee thoroughly investigated it and their report completely exonerated the Mississsippi River Commission, and Congress has known about that case for over two years and what the gentleman from Texas has said is not new at all.

Mr. BLANTON. Will the gentleman yield?

Mr. WHITTINGTON. Let me first say in reply to the gentleman from Louisiana that the gentleman is absolutely correct. A very careful investigation was made by the Mississippi River Commission. They desired to conceal nothing. They brought out the facts. They admitted a mistake was made but nothing like the amount of loss suggested by the gentleman from Texas was involved.

Mr. BLANTON. Will the gentleman yield?

Mr. WHITTINGTON. Yes.

Mr. BLANTON. Oh, the records of the committee itself——

Mr. WHITTINGTON. I yield for a question. I can only yield for a question, because my time is limited.

Mr. BLANTON. But there was 5,000,000 cubic yards of dirt which had to be removed in one case and 400,000 cubic yards in the other, estimated by the three expert engineers who checked up the work done by Major O'Connor.

Mr. WHITTINGTON. I do not recall that any amount was removed, but the fact of the matter is——

Mr. BLANTON. Now, the question I want to ask——

Mr. WHITTINGTON. Let me finish my statement. The fact of the matter is that particular case was brought to the attention of the Mississippi River Commission by my predecessor, the late B. G. Humphreys, and by the gentleman from Louisiana [Mr. WILSON], who was opposed to the very character of legislation now pending.

Mr. BLANTON. Will the gentleman now yield for one question?

Mr. WHITTINGTON. Yes.

Mr. BLANTON. Is it not a fact that this same Major O'Connor is still in charge of this Mississippi levee work and is still employing day labor?

Mr. WHITTINGTON. I think not.

Mr. BLANTON. What has become of him?

Mr. WHITTINGTON. I could not tell the gentleman. I think he has been stationed in Washington.

Mr. BLANTON. He is the only man the engineering department sends before our committee to tell us what we are to do and what we are not to do.

Mr. WHITTINGTON. If he is not in Washington, I do not know where he is now.

Mr. BLANTON. He is still in the engineer's office, is he not?

Mr. WHITTINGTON. I do not know. I want to be courteous, but I must decline to yield further to the gentleman, because my time is limited.

Mr. LAGUARDIA. Will the gentleman yield to me?

Mr. WHITTINGTON. Certainly; I yield to the gentleman from New York.

Mr. LAGUARDIA. In contrast with what the gentleman from Texas states, is it not true that the work in and around New York harbor, which has to be performed under most trying and difficult conditions, has been carried on very successfully by the Corps of Engineers?

Mr. WHITTINGTON. Undoubtedly; and I say we had better let well enough alone; that the public interest has been protected and promoted under the system that now obtains, and we ought not to change it, because it is very difficult to prepare estimates covering harbor work and dredging work.

Mr. LAGUARDIA. And the gentleman knows that in connection with all contracts the Government lets out, that they either come in with supplemental contracts or come in and get additional appropriations.

Mr. WHITTINGTON. I revert to the faulty construction of levees along a stretch in the third Mississippi levee district in 1921 and 1922 under the supervision of Major O'Conner. I am familiar with the hearings on this matter. An investigation was made by the Mississippi River Commission, and as a result the commission condemned the work that the local engineer had permitted to be done. The investigation showed that safe work was sacrificed in order to make speed.

The gentleman from Texas [Mr. BLANTON] has referred to the report of the field party that was appointed by the Mississippi River Commission to make an investigation of the defective work. This report may be found on page 1705 to page 1708, inclusive, of the hearings before the subcommittee on the War Department appropriation bill for 1925, which were conducted on February 8 and 11, 1924. The gentleman from Texas, in his question, referred to item 14; I now quote item 14 of this report from page 1708:

> To restore the berm and borrow pits to a standard section will require the handling of approximately 5,000,000 cubic yards of earth at an estimated cost of $1,000,000.
>
> To bring the levee section up to standard it will require the handling of approximately 400,000 cubic yards of earth at an estimated cost of $120,000.

The question propounded to me by the gentleman from Texas would indicate that he was seeking to prove that the Government lost $1,000,000 in the one case and $120,000 in the other case. Such is not the fact, however. Col. C. L. Potter, chairman of the Mississippi River Commission, testified before the Committee on Appropriations, and I call attention to the fact that while the commission condemned the work on the report of this board of engineers, the commission did not agree with the findings of the board in the two particulars mentioned, as well as in other particulars. I furthermore call attention to the fact that while there was defective work the levees were brought up to the grade at a cost of $80,500, instead of the estimated cost of $120,000, and that this was intended to be done regardless of the defects. The commission determined that it was not necessary to restore the berm and borrow pits. Time has vindicated the commission; there has not been any break in the levees along the Mississippi River where the alleged faulty work was done, and I may say in this connection that there has never been any break in the levees of the Mississippi River that were constructed according to the specifications of the Mississippi River Commission.

Colonel Potter testified that it was not necessary to handle the 5,000,000 cubic yards of earth, and it was not necessary to

restore the berm and borrow pits. I quote from his testimony on page 1722 of the hearings:

The commission condemned the laxness in following out its specifications, but told the people that there was nothing for them to fear; that there was nothing to warrant the tearing down of the work, and that it would not happen again.

In other words, the 5,000,000 cubic yards of earth were not handled, and no part of it was moved, the estimated cost of $1,000,000 was not incurred, and no part of the estimated cost was incurred. I quote again from page 1722:

Our field party estimated that it would cost $120,000 to bring this levee up to grade. As a matter of fact, not only this but the dressing and sodding has been done at a cost of 1 cent per cubic yard for the work done in those two sections, or for $80,500, using Mr. Stansell's figures for the total yardage. But this was all intended to be done anyhow.

The field party referred to was appointed under the supervision of the commission, as Colonel Potter testified in these hearings. There was a total misconception by the Board of Engineers composing the party as to what this party was expected to do relative to the berm and borrow pits. Colonel Potter stated that their report as to the yardage from berm and borrow pits was probably due to a misinterpretation of the specifications of the commission, and again I quote from Colonel Potter's statement, page 1723:

So there was not intended to be any berm—

And—

That the specifications did not require the building of a berm.

The district engineer assumed that he could follow the old borrow pits and I must admit that the specifications did not definitely state that he could not.

I am therefore familiar with the instance cited by the distinguished gentleman from Texas, and I maintain that the facts in that case show that while a mistake was made, while there was defective work, the mistake has been corrected and the Government did not suffer loss. Colonel Potter further stated that the same solution as to berm and borrow pits would have obtained if the work had been done by contract.

The Committee on Appropriations went into an investigation of this alleged defective work, as I stated in the beginning, in 1924, when the contractors endeavored to secure an amendment to the War Department appropriation bill providing that 75 per cent of the levee work on the Mississippi River should be done by contract. The committee refused to adopt the amendment, after considering carefully the facts in reference to the defective work done under Major O'Conner, referred to by the gentleman from Texas.

PUBLIC WORK BY CONTRACT

Generally, I favor public work being done by contract. I oppose the Government engaging in business in competition with individuals. I would favor any legislation that would require as much levee work as possible to be done by contract. There are certain classes of work, however, which, because of their nature and necessity, the Government can do more cheaply than individuals. In these cases the Government is merely doing its own work to protect the public. Damages resulting from floods constitute emergency work. Caving banks occur on the Mississippi and other rivers when there are no floods. To promote navigation these banks must be protected by revetment, which can not be done in flood time, and which may be necessary in normal times on the Mississippi River.

I am familiar with Mississippi River conditions and improvements. As a taxpayer, I am interested in the economic construction of both levees and revetment. I have been raising cotton for over 22 years in the Mississippi Delta. I am familiar with levee legislation and with problems of levee construction. I have inspected all of the levees and most of the revetment work in both of the levee districts in the Yazoo and Mississippi Deltas. I have observed the work done by the Government and the work done by contractors.

I recall the days when levee construction was exceedingly expensive in the Yazoo Delta because of combinations on the part of contractors. Under the present law, however, the levees are being completed in a satisfactory manner, and to-day are being built more cheaply than they have ever been constructed.

OBJECTIONS

The proposed bill would hinder the completion and make more expensive levee and revetment work along the Mississippi River. The Mississippi River Commission some years ago passed a resolution that all levee work be advertised and let to the lowest bidder if the bids are lower than the estimated cost of day-labor work. In other words, under the present law in levee construction estimates are always made, and if the work can be constructed more cheaply by contract than by day labor, contracts are awarded. Fifty-six per cent of all the levee work along the Mississippi River from Rock Island to New Orleans during the past year was done by contract. I maintain that all levee work, except in cases of emergency, should be done by contract wherever reasonable bids can be obtained. I am not fighting contractors; I want to encourage them, but at the same time I want to protect the public.

The Government ought to have the discretion to reject any and all bids; it is doubtful whether it has this discretion under the proposed legislation. Sixty per cent of the appropriations by Congress for the improvement of the Mississippi River is in the interest of navigation and is for dredging and revetment. Dredging and revetment are peculiarly emergency work. An emergency may arise between the time of advertising for bids on revetment work and the time of actually beginning the work, when it is necessary to change the program. A cave along the banks of the Mississippi River may develop in normal times as well as in flood times. It is necessary to ship the equipment and plant from one point to another.

A break may occur in a revetment calling for $50,000 worth of repairs to be made as soon as a plant can be moved to the break, but if contracts have been made under the allotments for revetment there would be no funds except those tied up in contracts.

Again, it is said that dredging can not be done by contract. It depends on river conditions. Sometimes millions of yards are moved in a single season. In other years the amount is much less. The amount of solid material a dredge is actually pumping is almost impossible of ascertainment. An estimate of this item will bring up eternal controversy with the contractors, for the contractor may not care whether he is moving dirt or pumping water. The longer the job the more the pay.

The Mississippi River Commission and the Corps of Engineers maintain that it is impracticable, if not impossible, to prepare estimates of the costs of dredging and estimates of the cost of bank revetment. The commission now prepares estimates of the costs of levees, except when there is an emergency requiring the immediate construction of a levee.

LEVEES AND REVETMENT

There are about 300 miles of levees in the congressional district I represent, and there are two levee boards, located at Clarksdale and Greenville. The levees in the Clarksdale district are completed; the proposed legislation would have no effect on levee construction in that district, for levee work there is done by the local board and the State law would control.

The levees in the Greenville district are not complete; there are some 20 miles to be constructed, and the levees in other places must be built up to a higher grade and section. The Mississippi River Commission is building the levees in the Greenville district. The taxpayers contribute one-third of the costs of the levees and furnish the right of way, which aggregate a contribution of substantially one-half. Levee construction, therefore, is on a 50–50 basis. My object is to secure the completion of these levees at the least possible cost. The figures I have quoted show that there are hundreds of thousands of dollars invested in levee machinery, bought because of scarcity of labor during the war period.

These machines can be utilized to do the work very much more cheaply than it can be done by contract. During the year 1926, however, the large part of levee work was done by contract. Machine work was done wherever reasonable bids could not be obtained. At present all levee work in the Clarksdale district is done by contract under the State law, and a large part of the work in the Greenville district is done by contract. Under the present law the work may be done by contract or by day labor. It is necessary for the Mississippi River Commission to have discretion to protect the public funds.

However, the most serious objection to the proposed legislation involves revetment work. There are no contractors who own revetment plants along the Mississippi River. The equipment of one revetment plant costs about $500,000. These plants must be maintained by the Government for maintenance and repairs and for emergency work, and surely it is the part of wisdom to utilize these plants in doing revetment work, for there are no contractors equipped to do this work. Revetments are needed to protect the levees constructed. The proposed legislation would hinder and make more expensive revetment work.

As a matter of fact, while I favor public work by contract, because of its emergency character I believe that revetment

work should be absolutely eliminated from this bill. I can not favor the legislation with the revetment work included. If emergency levee work were properly protected, and if dredging and revetment work were eliminated from the bill, the situation would be different. I repeat to emphasize that there must be a provision, however, giving the Government the right to reject any and all bids.

But it is said that the bill provides that equipment owned by the Government shall be rented, that the levee machinery and revetment plants shall either be leased or sold. The bill, however, is inadequate to protect the Government either in the leasing or sale of the equipment. It provides no basis for rental or sale that would protect the Government in the millions of dollars invested in machinery and equipment.

The two levee boards in the congressional district I represent oppose the legislation. The Mississippi River Commission opposes it. The Corps of Engineers opposes it. The Navy Department opposes it. In many places the ships could not be repaired and plants constructed by contract. In remote sections it is absolutely necessary for the Navy to use day labor to protect its own equipment.

The Bureau of Reclamation feels that its activities would be hampered. It has been the long-established policy of the Government to invest the executive departments with some discretion in the discharge of their duties. There is no necessity for change in the law. Existing legislation is entirely satisfactory to the organizations promoting the improvement of the waterways of the country, as is shown by resolutions adopted by the Ohio Valley Improvement Association, at Paducah, Ky., October 11, 1926; by the Mississippi Valley Association, at St. Louis, Mo., November 24, 1926; and by the National Rivers and Harbors Congress, in Washington, on December 9, 1926.

UNNECESSARY AND EXPENSIVE

Finally, the proposed legislation is unnecessary. There is a new era in waterway improvement. Congress has increased appropriations for waterways, and the country is thoroughly aroused to the benefits of water transportation. River and harbor work is essential to the development of navigation.

I said in the beginning that the bill reported by the committee is quite different from the bill introduced. The advocates evidently recognize the force of the objections. I am informed that they are now willing to eliminate sections 4 and 8 of the bill as reported, which deal with the sale and rental of equipment and removal from office. The proponents say that the only remaining requirement of the bill that changes the law is the provision for estimates. They now contend that work could be done by day labor in the future, if the bill passed, under section 2, by the use of the words "by contract or otherwise." I submit that the construction of the said section as contended is doubtful and would certainly be confusing. The law could accomplish no good, and probably would do great harm. Moreover, estimates are always made now, when practicable and possible.

By substituting in reality a new bill the proponents admit that the bill as originally introduced was unsound. By agreeing to eliminate sections 4 and 8 of the bill as reported they virtually admit that the pending bill is unsound. If the Government is required to lease its equipment, it will only be a short time until the equipment will so deteriorate as to be of no value. Contractors would certainly not take the same care of Government equipment that they would take of their own.

Again, the provision for the sale of the equipment fixes no basis and would not adequately safeguard the funds invested by the Government in equipment.

Then, too, as long as the Government owns its own equipment and has the discretion of doing the work by day labor or by contract it is reasonable to suppose that the Government will be able to obtain better bids from contractors. The discretion to do the work by day labor constitutes in reality a safeguard in the expenditure of public funds. I must not be misunderstood; I think the Government should estimate, wherever possible, the cost of every project. If it is the desire of the advocates of the bill merely to require a detailed estimate of the entire cost of every project where possible, I respectfully submit that all of the sections of the bill except the first should be eliminated. If it be true that under section 2 the Government may do the work by contract or by day labor, in its discretion, then I respectfully ask why the necessity for section 3, that requires the declaration of a public emergency before the provision for estimates shall become inoperative?

Then again, if the argument of the proponents is correct, if the work could still be done under the terms of the bill as amended by contract or by day labor, why the necessity of retaining sections 5, 6, and 7? To permit them to remain with sections 4 and 6 eliminated amounts to much confusion. The proposed bill, therefore, is so indefinite and uncertain that it would probably result in hampering the improvement of our waterways and the development of our harbors. This confusion would probably result in much expense to the taxpayers of the country.

Under the existing system the contractors are given a square deal. The public is protected, and it is best to let well enough alone. The Mississippi River Commission and other governmental agencies let levee work and other work by contract if the contractor's bid is not in excess of the estimated cost of the project. This limit would be repealed by the pending legislation. The result would be additional expense to the taxpayers. Our experience with contract work during the war was not altogether satisfactory. We are familiar with the cost-plus system. The passage of this bill might be the opening wedge for the cost-plus system in peace time. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I wanted to ask the gentleman if we had let the work done by Major O'Connor by contract and not by day labor, if all of this work of which I have spoken relative to repairs would have been necessary, and the Government would have been protected?

Mr. WHITTINGTON. The gentleman is misinformed as to the amount of the work and the cost. He is evidently not fully advised as to the facts in that case, for the facts show that no additional costs were incurred because of the defective work, and that it was not necessary to remove the 5,000,000 cubic yards or any other amount of dirt, as I have already shown by the testimony of Col. C. L. Potter, chairman of the Mississippi River Commission.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. LARSEN].

Mr. LARSEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend and revise his remarks. Is there objection?

Mr. LINTHICUM. Mr. Chairman, I shall not object if the gentleman makes that request after he has concluded his speech.

Mr. LARSEN. Mr. Chairman—

Personal dissension may exist among some delegations,
But among Georgia Members there are no such relations,
When a Georgia Member has something worth while to do
He relies upon his colleagues to help put it through.
But, Mr. Chairman, when it comes to farm legislation
We just can't get together on the Georgia delegation.

[Laughter.]

What, sir, is the matter? Our recalcitrant ways?
No; this awful, perplexing, legislative mystic maze.
The Aswell, Crisp, Tincher, and a dozen other bills
Would substitute the Haugen for relief of farm ills.
When we deal with bills of such various denomination,
No wonder we can't get together on farm legislation.

Mr. Chairman, to meet objections of every shade,
Yearly some vital change in Haugen bill is made.
In discord and dissension no farm relief lies,
Those who would help the farmer must compromise.
Big interests and speculators prefer our agitation,
For well do they know it means no farm legislation!

[Laughter and applause.]

There are some 20 so-called farm relief bills pending before Congress at this time, but as the Aswell, Crisp-Curtis, and McNary-Haugen bills are the only ones being seriously considered by either branch of the Congress, I shall confine my remarks to these three proposed measures. Under the circumstances, as stated, a discussion of the others would be a useless consumption of time.

In order to appreciate the relative importance of the various legislative propositions looking to farm relief, we must consider them by comparison.

The marketing features of the Aswell bill are very good, but I do not like its method of selecting officers, nor its loan features. My idea is that the farmer has already borrowed too much money. What he needs most is some method for payment. Fifteen years ago the farmers of the United States owed less than three and a half billion dollars; to-day they owe more than twelve billion. They can only pay this immense debt by receiving more than cost of production for what they produce. Any legislation which does not accomplish this will prove worthless.

Judge CRISP, author of the bill which bears his name, is a member of my own delegation and a man with whose judgment I usually find myself in accord. Certainly there is no Member of the House for whom I have a higher regard and I am sure of his friendship for me. As I am not inclined to sup-

port his bill, but prefer the Haugen bill instead—a measure to which he is unalterably opposed—I feel that I should at this time briefly state some of the salient reasons which impel my course of action.

The gentleman from Georgia [Mr. CRISP] states that the bill bearing his name is a composite bill, embracing the good provisions of the various bills or proposals for legislation, and in addition thereto some others, which, in his judgment, would bring relief to agriculture. I am quite sure Judge CRISP is entirely sincere in this statement but I do not agree with his conclusion. We all know the administration of a law is of as much importance, or practically so, as the letter of the law itself. Whatever bill may be passed, the relief or lack of relief depends to a great degree upon its administration. Let us consider sections 2 and 3, of the Crisp bill, and what I may say with reference to the Crisp bill will also apply in a certain degree to the Aswell bill, for neither of these bills impose any restrictions upon the appointing power regarding the selection of members for the board. The Haugen bill does and herein lies a fundamental difference. What does the appointment of the board by the President mean?

It means that we will have a politically appointed board: that we may have men on the board appointed, strictly speaking, not by the President himself, but by some politician or group of politicians who may or may not have an interest in agricultural welfare. I am for real farm relief, and when we create a board I want one in which the farmers of this country will have implicit confidence. I want a board composed of farmers or of men whom the farmers themselves select and are willing to trust. I am not willing to create legislative machinery which will enable the President, if he see fit, to appoint bankers, lawyers, politicians, or any other class of men on the board regardless of whether they are satisfactory to agriculture. I, for one, am unwilling to turn the agricultural element of our population over to the tender mercies of a board composed of the representatives of other industries.

Under provisions of the Haugen bill no such condition is possible for it provides that proposed board members shall first be selected by a nominating committee of five. One of the committee is selected by the Secretary of Agriculture and the other four by the farmers themselves and cooperative associations of the districts for which each member of the board is appointed. The committee of five thus selected for each district, submits the names of three persons to the President and he must appoint one member of the board from this three. Under this arrangement politics will be practically adjourned and the agricultural interests should thereby be served.

But the Crisp bill goes one step further than is proposed in the Aswell bill. The Aswell bill enables the board to, at least, name its chairman, but the Crisp bill provides that the Secretary of Agriculture shall be the chairman of the board. What does that mean? We all know that the chairman of any board is the most important official on it, and that as a rule the chairman dictates, to a large extent, the policies of the board.

Mr. DICKINSON of Iowa. Mr. Chairman, will the gentleman yield?

Mr. LARSEN. Yes.

Mr. DICKINSON of Iowa. Is it not also true that under the Crisp bill the board is an adjunct to the Department of Agriculture?

Mr. LARSEN. That is so.

Mr. DICKINSON of Iowa. Would it not be true that the Secretary of Agriculture therefore, being the head of that department, would absolutely dominate the entire transaction?

Mr. LARSEN. Of course that is evidently true. The Secretary of Agriculture is, of course, always a splendid gentleman, but nevertheless a political official created by and existing at the will of the President. The chairman of any board is always an important official of the organization, but the chairman of this board, being also the Secretary of Agriculture, would no doubt completely dominate the board. I am unwilling for the Secretary of Agriculture to be forced upon this supposedly farm organization without its consent. With a board selected and organized either under terms of the Aswell bill or the Crisp bill, we had just as well say:

> Mr. President, do as you please; Mr. Farmer, take care of yourself as best you can.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LARSEN. Yes; for a question.

Mr. BLANTON. Do you think the Agricultural Department and the Secretary of Agriculture are dependable friends of the farmer?

Mr. LARSEN. Judging by the resolutions read into the RECORD yesterday by the gentleman from Minnesota [Mr. WEFALD] and passed, as I understand, by the farm organization of Minnesota, I would say that in certain sections, at least, there must be some doubt; but we must remember that the personnel of the Secretary of Agriculture changes, and we may have a dozen different chairmen of that board if the Crisp bill should pass. The point I make is that we do not want a political official at the head of the board. We do not want a man in there who owes his political existence purely and simply to the President of the United States. We want a man there who is selected by the farmers themselves, and who will at least feel the responsibility of representing the agricultural interests in preference to the responsibility of representing a man who holds his existence in the hollow of his hand.

Mr. BLANTON. Each member of the board is appointed by the President, and the Supreme Court has held that the President at will can remove his appointees; so they are political after all.

Mr. LARSEN. No; they are not, and I will come to that in a moment. They would be under the Aswell and Crisp bills. There is no doubt about that. Under each of these bills you would have a board created by the President and men solely responsible to him. I am opposed to any method of selecting a board which may make of its members chameleon-like characters who can change the color of their political raiment to meet demands of any Executive under whom they may chance to serve.

I want a free and independent board, and that is what we get under the Haugen bill. Why? In the first place, the members of the board are selected by a committee of five, and of that committee of five four at least are farmers, and only one of them, who is not even the chairman of the nominating committee, is elected by the Secretary of Agriculture. They submit to the President a list of three names and the President must—not may—appoint one member of the board from this list of three. Suppose the President appoints a man and discharges him the next day, what would happen? The nominating committee would again convene and send three more of their own selection to the President of the United States and he again would be forced to appoint one of the three.

Mr. BLANTON. Will not the gentleman admit that under the Haugen bill the President has a right to remove any member of the board if he wants to?

Mr. LARSEN. Perhaps so; but that is a question of law.

Mr. CARTER of Oklahoma. And if he did, he would have to appoint them in the same way, would he not?

Mr. LARSEN. Yes. That is what I said.

But what I am talking about is the method of appointment, not removal, and, thank God, under the provisions of the Haugen bill, when a man once fails to function on behalf of the agricultural interest and his appointment comes up again, the farmers themselves can remove him and the President can not put him back. If he be appointed by the President he will likely keep him there so long as he suits the ideas of the administration, whether he suits the ideas of agriculture or not. For this reason, if for no other, I am opposed to the Aswell and Crisp bills. [Applause.]

Mr. Chairman, on January 31 I referred to a reported utterance of Aaron Sapiro, general counsel for the American Cotton Growers Exchange, made in a speech at the twentieth annual conference of farmers at the State College of Agriculture, Athens, Ga., January 27, to the effect that the McNary-Haugen bill could possibly be of no material aid to cotton growers under present surplus conditions, and that the farm problem will never be solved by legislation, but through the organization of farmers and proper marketing of their products. I understand that on account of the address he made he has lost his position as counsel for the Cotton Growers Exchange. [Applause.]

While I advocate cooperation and marketing through such associations, I believe that legislation may be very beneficial for this purpose, and I also believe that farm legislation of the proper kind will aid in farm problems. Not only the cotton farmer, but all classes of farmers.

If legislation will help the banker, the manufacturer, the railroads, and other transportation companies, I can not understand why it will not also help agriculture. Legislation has benefited the coffee and rubber industries. If it helps the coffee producer of Brazil, I can not understand why it will not help the farmers of the United States. If it helps the rubber growers of the British Empire, why can not beneficial legislation be passed in this country? If beneficial legislation can be enacted for the men who manufacture into cloth the wool that is shorn from the back of the farmer's sheep, I can not understand why

some form of legislation can not be enacted that will benefit the farmer who raises the sheep. If legislation can be enacted which will enrich the man in New England who manufactures boots and shoes from hides taken from animals raised by the farmer in other sections of this great Nation, I can not understand why we can not at least enact laws that will enable the man to wear shoes who raises the animals. If legislation can be enacted to enable the manufacturer of cotton to accumulate his millions, I can not understand why we can not also enact legislation that will enable those who grow the cotton to hide their nakedness, and why we can not enact legislation that will enable the farmer who grows the wheat and corn that breads this Nation, to save a crust for his own hungry children. [Applause.]

I believe the farmer can be helped by legislation. The Haugen bill has for its main purpose the control of surplus production, but I am certain the farmer can be helped in other ways.

On December 15 last I brought to the attention of the House what was going on in the Post Office Department, where something like two and one-half million pounds of jute twine is being used, when cotton twine should be used instead. I urged the use of cotton instead of imported jute. I also called your attention at that time to the report that one of the departments of the Government had recently before given out a large contract for shirting to be used by the Government, and had stipulated in the contract that it should be made from Egyptian cotton. I denounced it then, and I shall continue to denounce such policy.

An interesting article reached my office this morning. It came from the Daily News Record of New York, and is dated Wednesday, February 2. It is an article written by Mr. Leavell McCampbell. He points out the steady and tremendous increase in burlap imports, and quotes the scale of wages paid to employees in India, who manufacture it. I will not read the article, but it points out that from 1890 to 1899 the yearly import of jute burlap into this country was 126,929,254 yards, and that for the period from 1920 to 1927 there was annually imported into this country 998,151,138 yards of jute burlap.

The goods are manufactured in India, and here is the scale of wages which Mr. McCampbell says is paid by those who manufacture the goods: A carder gets 89 cents a week; a rougher $1.85 a week. A spinner gets $1.40 a week; a winder gets $1.91 a week; a beamer gets $2.07 a week; a weaver gets $2.84 a week; a coolie gets $1.19 a week.

The American people are importing about 1,000,000,000 yards of jute burlap from India every year and selling it in competition with American cotton goods, while our spindles stand idle, our labor is unemployed, and our cotton brings less than its cost of production.

Now, gentlemen, we can remedy that situation by either creating a sentiment against it or by legislating against it. I am in favor of either.

I am not advocating it, nor do I favor it, but we can help conditions by amending our immigration law and increasing the supply of labor for the industrial enterprises. If we import labor from foreign countries we would cheapen the cost of production and reduce prices of manufactured articles which the farmer uses. But this would flood the country with undesirable aliens and would disrupt our social fabric. I would not favor this. I simply mention what can be done by legislation. The Government can help very much by finding new markets and by using itself American-grown products—cotton instead of jute, and so forth—but from its present attitude we are not justified in expecting it.

In conclusion, may I add the Crisp bill is purely and simply a subsidy. There can be no doubt of it. All losses are to be absorbed by the Government. I am opposed to that kind of legislation. The farmer does not want it, and if he wanted it I would be unwilling to give it to him. I do not believe that any legislation which we may pass will be profitable and lasting unless we provide for an equalization fee, and I believe it is sound in principle. If a neighbor uses your wagon, free of cost, and breaks the tongue, I would think he ought at least to put the tongue back before he brings it home. He should keep it in repair. That is all the equalization fee does. It gives the farmer a working capital and enables him to function. [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. REED].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. REED of New York. Mr. Chairman, much interest has been manifested by the Members of the House in H. R. 15340, known as the Federal buildings bill. The past few days many Members have inquired when the bill would come up for consideration. It will be of interest to the Members to know that the present plan is to bring the bill H. R. 15340 up for consideration under a suspension of the rules next Monday. I am making this statement so that every Member may have due notice.

I wish also to explain to my colleagues the purpose of the legislation. It is not necessary to enlarge upon the great need for this legislation throughout the country. This was well known to each Member when the act of May 25, 1926, was enacted into law. This act, you will recall, authorized an appropriation of $165,000,000, of which $50,000,000 was for sites and buildings in the District of Columbia and $15,000,000 to take care of buildings authorized under the omnibus public buildings act of 1913, which could not be built within the limits of cost. This makes available, under the act of May 25, 1926, the sum of $100,000,000 for construction work in the country at large. There were certain limitations of expenditure.

It is provided in that act that expenditures may not exceed $25,000,000 per annum, of which amount not more than $10,000,000 may be expended annually in the District of Columbia. This leaves $15,000,000 to be spent outside the District of Columbia, but for the fiscal years 1927, 1928, and 1929, respectively, at least one-third shall be for buildings authorized in prior acts. This leaves only $10,000,000 per annum for new construction for the entire country during the fiscal years 1927, 1928, and 1929.

It soon became apparent to the Members of the House that $10,000,000 spent annually on new projects would not meet the present and rapidly increasing need of the country. When the hearings were held on the triangle bill (S. 4063), the subject was gone into very fully, and the testimony of the officials of the Treasury Department and the Post Office Department disclosed the necessity for a liberalization of the building program to meet the urgent needs of the country at large.

The purpose I had in introducing H. R. 15340, authorizing a further appropriation of $100,000,000 for Federal buildings, was to liberalize the building program without changing the policy of the act of May 25, 1926. What it actually does in this respect is to increase the annual expenditure from $25,000,000 to $35,000,000.

It does not increase either the annual expenditure or the total expenditure for the District of Columbia as provided in the act of May 25, 1926. The entire $100,000,000 authorized in H. R. 15340 as amended by the committee will be spent outside of the District of Columbia.

In other words, it will make available annually for building construction outside the District of Columbia $20,000,000 instead of $10,000,000. It is provided further, as amended, that—

* * * not more than $35,000,000 in the aggregate shall be expended annually (except that any part of the balance of such sum of $35,000,000 remaining unexpended at the end of any year may be expended in any subsequent year without reference to this limitaion).

I wish to call your attention to the fact that under the provisions of this legislation there will be available after the years 1927, 1928, and 1929 $25,000,000 annually for the country at large, and after the expiration of five years there will be available for the country at large the sum of $35,000,000.

The liberalization of the act of May 25, 1926, will meet the urgent needs of the country at a much earlier date than would otherwise be possible. It will bring relief to the smaller cities, where conditions are in many instances intolerable.

The failure to enact this legislation will cause inexcusable delay in meeting a widespread national emergency.

This legislation will conform to the policy embodied in the act of May 25, 1926; it is in harmony with the President's financial program; and it has the approval of the Post Office Department and the Treasury Department.

I hope that every Member of the House will be present and support this bill. [Applause.]

ANALYSIS OF PUBLIC BUILDING BILLS

Act of May 25, 1926		*H. R. 15340 (Reed bill)*	
Authorization	$165,000,000	Further authorization	$100,000,000
Extension limit of cost	15,000,000		
Sites and buildings, District of Columbia	50,000,000		
Country outside of District of Columbia	100,000,000	Increase to	200,000,000

Act of May 25, 1926		*H. R. 15340 (Reed bill)*	
LIMITATIONS		LIMITATIONS	
Annual expenditure	$25,000,000	Increase to	$35,000,000
Annually in District of Columbia	10,000,000		
1927, 1928, and 1929, per annum, outside of District of Columbia, buildings authorized in prior acts	5,000,000		
New projects outside	10,000,000	Makes available	20,000,000
After third year, for new projects outside of District of Columbia	15,000,000	After third year, for new projects outside of District of Columbia	25,000,000
After fifth year for new projects outside of District of Columbia	25,000,000	After fifth year, for new projects outside of District of Columbia	35,000,000
		LIMITATION BY AMENDMENT	
		Unexpended balance of $35,000,000 may be expended in any subsequent year.	

This act contemplates a survey of the public building needs of the country and provides that the $100,000,000 authorized for public buildings outside the District of Columbia shall be allocated to the different States, where buildings are found to be necessary, in such manner as to distribute same fairly on the basis of area, population, and postal receipts.

This bill liberalizes program without changing policy of the act of May 25, 1926.

Mr. Chairman, I have made an analysis of this bill and I ask unanimous consent to extend that analysis in the RECORD as a part of my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. BANKHEAD. Will the gentleman yield?

Mr. REED of New York. Yes.

Mr. BANKHEAD. The gentleman made the statement that the effect of his bill would ultimately be for the relief of some of the small towns in the country. Does it affect the question of policy with reference to receipts of $20,000 or over. Would it have the effect of giving towns with receipts of $15,000 a look-in on this proposed extension?

Mr. REED of New York. That I do not know. We established a policy and that is in the hands of the Postmaster General and the Treasury Department. However, I want to say this to the gentleman, that unless we do secure legislation liberalizing this proposition there is absolutely no chance for relief in the rest of the country for a period of years. [Applause.]

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 50 minutes to the gentleman from Utah [Mr. LEATHERWOOD]. [Applause.]

Mr. LEATHERWOOD. Mr. Chairman and gentlemen of the committee, in discussing the development of the Colorado River I would much prefer to talk to you without notes, but for the sake of accuracy of statement I shall confine myself largely to some notes which I have prepared.

The issue raised by the Swing-Johnson bill is not as to the need of flood control for the Imperial Valley of California. The controversy centers about the method by which this flood control shall be provided. It is represented that this bill as now proposed represents the best possible plan; that the measure proposed will confer not only great protection to the Imperial Valley but will confer a great boon upon the people of the United States at no cost to the taxpayer.

Those having this conception of the bill say that opposition and criticism are merely perverse obstruction. Hence it is charged against opponents that they are influenced by malign and selfish forces which would deprive not only Californians but the people at large of a great gift in order that selfish greed may be satisfied. We find these proponents obsessed with visions of trusts and sinister combinations of evil powers behind every opponent. One would be led to think in fact that there was an evil conspiracy on foot to drown the fine citizens of the United States who live in the Imperial Valley, to destroy the future greatness of the city of Los Angeles, to stop the further growth of all of southern California.

Now, I am one of those opposed to this bill in its present form, and yet I hope it is unnecessary for me to assure my fellow Members of the Congress that I find in my heart no such evil designs or sinister purpose. On the contrary, I am, in common with others who are opposed to this legislation, in entire and hearty accord with the advertised purposes and aims of this bill. I am anxious to lend such assistance as I can toward providing flood control for the Imperial Valley and needed domestic and irrigation water for all of southern California.

I have devoted several years to the study of the problem involved here; I have sat through hundreds of hours of hearings and discussions dealing with the development of the lower Colorado River. I think I can claim to be at least reasonably well informed concerning this legislation in all its aspects. And with all the information and facts thus made available to me I am unable to agree that this bill is what it is represented to be.

However the bill may have been originally conceived, I charge that it is not now a flood-control measure, but primarily a scheme for power development through which it is proposed to embark the United States Government upon two grave departures from its established policy. These two new policies which this bill would inaugurate are Government ownership and operation of great electrical enterprises and Federal control over economic activities within the State which have heretofore been accepted as belonging to State control.

There are three objections to this legislation as it is proposed:

First. Congress has no authority under which it can accomplish anything by passing this bill.

Second. It violates a fundamental policy of the Government with respect to public ownership.

Third. It violates a second fundamental policy in proposing serious invasion of the rights of States and interferences with State sovereignty.

The bill, as it is now framed, provides that before it can become effective there must be an agreement between six of the seven interested States. There is no such agreement in existence. California has not ratified the six-State compact except upon condition that this legislation be passed. Utah has withdrawn from the six-State compact because of the threat of this legislation in the form in which it is now proposed.

The action of Utah was taken last month by an almost unanimous vote of the State legislature. I think that action was fully justified by the facts. It is useless to argue now whether or not it was justified. Congress is faced with the fact that Utah did withdraw from the six-State agreement because of this legislation in its proposed form, and to pass the legislation in the face of that fact is merely to invite delay and litigation.

The seven-State Colorado River compact was drafted for the protection of the States in the upper and lower Colorado River Basins, and constituted an effort to reach an agreement on rights that would eliminate the possibility of costly and interminable litigation.

Six States—Colorado, Wyoming, Utah, New Mexico, California, and Nevada—ratified the pact without reservation, Arizona alone declining to ratify.

When Arizona's refusal to approve the compact without further adjustments and negotiations became evident the representation was made that California would suffer great economic loss if a way was not found to permit that State to proceed with the development it required.

Upon such representation, and solely for the purpose of removing from California's path the handicaps imposed by Arizona's reluctance to ratify the compact, a six-State agreement, based on all the essentials of the seven-State compact, was drafted and this was unconditionally ratified by five States—Colorado, Wyoming, Nevada, Utah, and New Mexico.

California, the one State demanding immediate action, refused to ratify, and under the leadership of those sponsoring the Swing-Johnson bill imposed conditions which in the light of subsequent events proved merely to be an attempt at coercion upon the other interested States.

Utah entertained and still entertains the warmest feelings of friendship for California. We have demonstrated our good will. We feel that what benefits California benefits Utah and that our welfare and progress will help that State. We do not want to be placed in the position of rivalry with any State, but that undesirable condition is certain to develop if groups or factions in California pursue the course they have followed in regard to the Colorado River and its development.

Utah refuses to be made the cat's-paw of any State or any group within a State. We will not stand in the way of California's progress, but we shall be alert to prevent any State, any faction, from gaining selfish advantage at our expense.

The record of Utah is clear. We have shown our desire to work in harmony with our sister States. When we are approached on the same straightforward basis we shall be glad to proceed in the future as we have in the past.

Utah's repeal of its unconditional approval of the six-State pact is not a withdrawal of any willingness to work out the river problem; we have merely acted to place ourselves on the

same basis occupied by California. In all the discussions of Utah's withdrawal from the six-State compact it should be remembered that California has never become a party to the six-State compact.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. LEATHERWOOD. I prefer to go on with my statement and to yield later, but I will yield now for a short question.

Mr. CARTER of Oklahoma. I simply wanted to ask the gentleman the present estimated cost of the Boulder Dam project.

Mr. LEATHERWOOD. In the present bill it is estimated at $125,000,000.

Mr. CARTER of Oklahoma. Does that include the all-American canal?

Mr. LEATHERWOOD. I understand it does.

Mr. PERKINS. Will the gentleman yield for a short question?

Mr. LEATHERWOOD. I will be pleased to yield.

Mr. PERKINS. Will the gentleman tell us why Utah withdrew from the compact?

Mr. LEATHERWOOD. Yes; if the gentleman will follow me I think he will get an answer from my remarks, and if I do not cover the matter fully I will be glad to yield later; but, briefly, we withdrew from the compact because it was sought to put this legislation through Congress and accomplish all that our sister State of California wanted, and by so doing and with only a six-State compact we would be left at the mercy of any State that failed to ratify the agreement, and under the law applicable to the appropriation of unappropriated waters in those western streams any appropriation made by a State in the lower basin not bound by the agreement would create a priority as against my State and the other upper-basin States in the compact. Briefly, that is why we withdrew. The same caution, the same deliberation that prompted California to put the following condition upon her ratification, prompted the people of my State to be likewise careful and cautious. I call your attention to the resolution of California withdrawing from the compact. I will read the privso:

Provided, however, That said Colorado River compact shall not be binding or obligatory upon the State of California by this or any former approval—

You see, she put a condition upon her seven-State ratification—

by this or any former approval thereof, or, in any event, until the President of the United States shall certify and declare (a) that the Congress of the United States has duly authorized and directed the construction by the United States of a dam in the main stream of the Colorado River at or below Boulder Canyon adequate to create a storage reservoir of a capacity of not less than 20,000,000 acre-feet of water; and (b) that the Congress of the United States has exercised the power and jurisdiction of the United States to make the terms of said Colorado River compact binding and effective as to the waters of the said Colorado River.

Our sister State has elected to sit back and say that she will come into this agreement when she gets everything she ever hoped for and ever asked for. Do you criticize any other State in that great basin for exercising the same caution and the same care in its conduct with reference to this proposed agreement?

Mr. ARENTZ. Does the gentleman want that answered now or later?

Mr. LEATHERWOOD. I do not yield now. I will take the gentleman on, and all the rest of the proponents of the bill, a little later.

It should be clearly understood that in the absence of consent on the part of the States to Federal control of the waters to the extent here proposed there is no power in the Congress to exercise that control. The rights of the seven States in the waters of the Colorado River can only be finally determined by the Supreme Court of the United States.

May I say here, gentlemen, that you must bear in mind that there are only two sources from which an allocation of the unappropriated waters of these western streams can be had; one by the States themselves entering into a voluntary agreement or treaty by and with the consent of the Congress; and the other through a court of competent jurisdiction. But Congress has no power to allocate the waters of one of these western streams where the doctrine of prior appropriation applies. Action by Congress at this time would only result in forcing this issue into the Supreme Court.

If it be thought, as was suggested in the hearing before the Rules Committee by Chairman SMITH, that this should be done, then Congress might pass this legislation with the understanding that that will be the result.

Evidently, emboldened somewhat by the spirit of the chairman of the Committee on Irrigation, a few days ago the Commissioner of Reclamation wrote a letter. I am constrained to think, perhaps, that he wrote it with the object of having it inserted in a speech that was made by a modern Horatius who stood at the bridgehead and stopped all lobbies passing that way save and except the Boulder Dam Association; and the learned doctor in writing this letter fell into two very grievous errors. Like many who have attempted to discuss this question, he assumed that the Congress had the power to go ahead and allocate the waters of this great river. Then again he subscribed, methinks, to the doctrine that has been held all along by certain proponents of this bill that we should go ahead and pass this legislation irrespective of what effect it might have upon the economic future of the upper basin States. He thinks only of a great dam and is willing to go ahead, no matter what the effect might be on the upper basin States, so long as California gets what she wants.

He says in that letter that Congress might go ahead and pass legislation irrespective of the compact by reserving to the upper basin States 7,500,000-acre feet of water overlooking the fact that Congress has no power to make an allocation, and how could an act of Congress contain the terms of an agreement which never existed and may never come into existence.

Now let me suggest that if my good friend, the Commissioner of Reclamation will keep in mind that there are rights in the upper basin States just as sacred as any on the lower river, and if he will cease dreaming about playing with the greatest power plant ever dreamed of in the history of the world, it will not be long before we have legislation that will give California the protection to which she is entitled.

But Utah—and I speak only for my State—will act very promptly if the Commissioner of Reclamation or the chairman of the Committee on Irrigation seek to secure legislation that will injure the people of my State.

Men of Congress, let us be fair in this matter and meet each other half way. If anyone is selfish enough to force my State and the State of my colleague, the gentleman from Arizona, into court, do you not realize that you will delay the development proposed in this bill by 10, 12, and maybe 15 years.

Now for a few moments I want to say something about lobbies. I hold no brief for any lobby. I had hoped that it would never be necessary to refer to this subject, but in view of certain statements that have been made in both branches of Congress and that have appeared in the press throughout the country, I feel that I must say something on the question.

Very early in the hearings before the committee one of the members of the committee was rash enough to infer that any person who opposed the legislation and the purpose of the legislation was a tool of the Power Trust. On behalf of myself and the people of my State, I accepted that challenge and we went into the facts in the hearings in detail as to whether or not there were any sinister influences back of this matter trying to prevent this legislation. As a result of all that investigation and the extensive hearings, there is not a syllable to show that there has ever been a dollar spent by any individual or combination of individuals, in lobbying or otherwise, to prevent the passage of this bill.

The record does show that thousands and thousands of dollars have been expended by the Boulder Dam Association in maintaining lobbies and in keeping gentlemen here urging this legislation.

Now, gentlemen, understand me correctly. Personally, I am not criticizing the activity of the Boulder Dam Association or any other combination of men in seeking to pass legislation in which they are interested, but it does seem to me that it is pertinent to remind the proponents of this bill that before you become too severe in your criticism you should remember that you, yourselves, have set the example by the ruthless expenditure of large sums of money in or about the Halls of Congress. Let him that is without sin cast the first stone.

Complaints have been made here about telegrams—that some mysterious power was trying to prevent the passage of the bill. My good Democrats on this side of the House, do you not remember a few months ago that every one of you got an emergency telegram telling you if you did not vote for the Boulder dam, you might never again hear the soft voice of the emblem of your party. [Laughter.]

Men on the Republican side, do you not remember you got floods of telegrams telling you that unless you promptly passed the Boulder dam bill your elephant would disappear forever into the grand canyon of oblivion, leaving no track, trace, or semblance to remind you that he ever existed? [Laughter.]

Mr. LOWREY. Will the gentleman yield?

Mr. LEATHERWOOD. Not now. One ardent advocate of this bill vouchsafed the statement that unless the bill was promptly passed a new party would spring up and it would

have for its platform Government ownership of public utilities. Perils all around us, all about us, we are threatened by this lobby that has spent thousands upon thousands of dollars, as shown by the hearings before the Committee on Irrigation in 1924.

My good friend, Col. Benjamin Franklin Fly, admits that he has distributed large quantities of citrus fruit in and about Washington in the hope that the delicious flavor of this fruit would soften the hearts of the recipients so that they would vote for the Boulder dam. [Laughter.]

Mr. Chairman and gentlemen of the committee, there are in the United States more than 2,000,000 men and women who have the major portion of their savings invested in private corporations engaged in the generation of electrical energy. Methinks they might have some right to even express an opinion with reference to legislation that might affect the business in which their savings are invested. Thousands and thousands of them have not to exceed four or five hundred dollars invested in this business. When we want to create some prejudice on the floor of the House we always try to array capital against the common people and the common people against capital. As I said a moment ago, I hold no brief for any lobby. I believe there is a proper way to present the views of individuals or groups. Personally, if I had the power, I would make it impossible for any lobby to exist in or about the city of Washington. The pay rolls of the Boulder Dam Association show many things, even the name of one upon whose shoulders rests the mantle of national legislative responsibility.

I have proposed two principal amendments to this bill. One is to protect the rights of my State to the waters of the river. I have not the time to discuss the details of the amendments. Another amendment provides that the question of the disposition of the power at the great dam proposed to be built shall be regulated and controlled by the Federal Power Commission. I invite the attention of my Republican colleagues to this fact. I have not gone out and sought support for these amendments. I have not attempted to get commitments from any person, high or low, in the Government service. I have not gone to your offices and sought your individual support for these amendments. I have tried to go along with what I believe to be the policy of my party. Let us see how far I have gone astray. I call your attention to the following plank in the National Republican platform, adopted at Cleveland, in 1924:

> The prosperity of the American Nation rests on the vigor of private initiative which has bred a spirit of independence and self-reliance. The Republican Party stands now, as always, against all attempts to put the Government into business. American industry should not be compelled to struggle against Government competition. The right of the Government to regulate, supervise, and control public utilities in the public interest we believe should be strengthened, but we are firmly opposed to the nationalization or Government ownership of the public utilities.

I call your attention to another plank in that same platform:

> The Federal water power act establishes a national water-power policy, and the way has thereby been opened for the greatest water-power development in our history under conditions which preserve the initiative of our people while protecting the public interest.

In drawing my amendments I thought I was going along with my party, and I think so yet. I believe those two planks of the national platform were made to stand upon and not to run upon.

These amendments had two objects: First, further protection of the States of Utah and other upper basin States against loss of their rights in the water of the Colorado River, and second, the placing of the power rights at the dam under the control of the Federal Power Commission and subject to the Federal water power act. If any further proof were needed of the fact that this is primarily a power proposition it has been furnished by the bitterness with which these amendments relating to power have been fought by the proponents of this bill.

It should be emphasized that the amendments I proposed do not militate against the primary objects of the bill. They do not eliminate the Government appropriation for the dam; they in no way interfere with the construction of the All-American Canal; they leave the Secretary of the Interior in full control of the operation of the dam, and specifically provide that power rights shall be subject to the superior rights of flood control, and use of water for irrigation and domestic purposes. These amendments simply remove the governmental ownership feature of the bill, and provide for the handling of the power at this dam according to the established policy for handling water-power development throughout the United States; that is, the granting of licenses by the Federal Power Commission under the terms of the Federal water power act.

Yet, these amendments have been strenuously opposed and the effect of them falsely represented. The attempt has been made through a section of the press to intimidate the Members of Congress into opposition to these amendments under the cry of "power trust," and ulterior influence. I think the time has long since passed when these tactics of the demagogue in the false and malicious misleading of the public opinion have any effect upon the Congress. But the fact that it has been attempted, that speeches insinuating malevolent influences at work against flood control and reclamation for the benefit of selfish interests, have been made in Congress, unmask the real purposes behind this bill—that if inauguration of public ownership of power projects.

If this is not so, if these gentlemen who profess themselves so much interested in providing flood control, who harry the feelings of Congress about the terrible menace to the Imperial Valley, are in fact not primarily interested in Government ownership of power, why is it that they choose to oppose with all their might and every sort of influence, falsely inspired and otherwise, amendments to their bill which have no other effect upon it than to remove the peril of Government ownership and operation from it? These amendments do not prevent the financing of the project through the sale of power rights. If it can be financed through the sale of power, as they represent, but which I very much doubt, it can be financed quite as well through the established system of issuing licenses for power rights under the Federal water power act.

The only argument that I have heard advanced to support the assertion that these amendments would militate against the success of the project is that the Government would be at the mercy of those who would lease the power rights. In other words, that unless the Government has the right to build power plants, the municipal and public utility purchasers of power rights would hold the Government up. Such an argument does not stand examination for one moment. Either there is a market for this power or there is not. If there is, the Government can make contracts for the right to use the water quite as well as for the sale of the power after it is generated. If there is no market for it or no sufficient demand for it, then the Government will be unable to dispose of it after it is generated. The only difference is that the Government will not have the extra $31,500,000 invested for the building of power plants. For it must be understood that the Government, so the sponsors of the bill say, does not intend to distribute the power; that is, to take it to market. The bill would, in my judgment, permit the distribution of the power. If the Government must wait at the dam for the purchasers to come, why will they come any more readily because the power is generated? May this not be a subterfuge by which if the purchasers do not appear the Government might go out into the open market and peddle the power? No, gentlemen, there is positively no escape from it—this issue is Government ownership and operation against ownership and operation by municipalities and private capital under State regulation.

I said a moment ago I had not gone out and solicited support or commitments from any individual or group of individuals, either in official life or otherwise. I have tried to go along with the platform of my party and with the expressed views of the leaders of my party. I call attention to the expressions and views of some charged with the responsibility of government much higher in official life than myself.

In his message to Congress December 8, 1925, President Coolidge said with reference to Muscle Shoals:

> If anything were needed to demonstrate the almost utter incapacity of the National Government to deal directly with an industrial and commercial problem it has been provided by our experience with this property. We have expended vast fortunes, we have taxed everybody, but we are unable to secure results which benefit anybody. This property ought to be transferred to private management under conditions which will dedicate it to the public purpose for which it was conceived.

In his inaugural address March 4, 1925, President Coolidge said:

> This administration has come into power with a very clear and definite mandate from the people. The expression of the popular will in favor of maintaining our constitutional guaranties was overwhelming and decisive. There was a manifestation of such faith in the integrity of the courts that we can consider that issue rejected for some time to come. Likewise, the policy of public ownership of railroads and certain electric utilities met with unmistakable defeat. The people declared that they wanted their rights to have not a political but a judicial determination, and their independence and freedom continued and supported by having the ownership and control of their property,

not in the Government but in their own hands. As they always do when they have a fair chance, the people demonstrated that they are sound and are determined to have a sound government.

In an address October 22, 1924, President Coolidge said:

* * * Measured by our experience, by efficiency of service, by rate of wages paid, we have everything to lose and nothing to gain by public ownership. It would be a most perilous undertaking, both to the welfare of business and the independence of the people.

The letter from Secretaries Weeks, Work, and Wallace, written March 24, 1924, with reference to this legislation, which will be found as an appendix to my minority report, expressly points out that the bill proposes that the United States should undertake a new national activity—

the business of constructing facilities for production of electric power for general disposition, an activity which, if logically pursued, has possibilities of demands upon the Federal Treasury in amounts far beyond those now involved in reclamation and highway construction combined.

That letter, after pointing out why this should not be undertaken without an understanding that it is a proposal to reverse the policy of the Government, further recommends that this power be handled under the Federal water power act. I specifically direct your attention to these statements in that letter:

In 1920, after many years of consideration, Congress adopted a general policy with respect to power development on sites under Federal control. That policy has been attended with marked success. Millions of horsepower are being constructed under the terms of the Federal water power act. These sites are being held in public ownership under public control, with every essential public interest protected.

I would not insult the intelligence of this House by undertaking an answer to the suggestion that has been put forward that failure of the Government to develop this water power means the turning over of billions of dollars of public property and resources to "private trusts." The demagogue, of course, must resort to this malicious misrepresentation to put over the follies of Government ownership. But all thinking people, all who have given any study to the problem whatsoever, must know that water power in the United States developed under the Federal water power act is developed, as these Cabinet officers have said, with every essential public interest protected.

The public utilities who undertake developments under State or National laws are hedged about with restrictive regulations which prevent overcapitalization, which require that income shall be computed on the amount actually invested and invested in necessary improvements. Earnings are regulated; rates are restricted under these rules. There is no taking away from the people of these great resources. Instead, they are developed for the people, under protective regulations; private capital is employed and Government funds raised from the taxpayers of the Nation are not diverted to wasteful, bureaucratic administration of business enterprises. Furthermore, the private lessees from governmental agencies are not given ownership of sites, but at the end of 50 years the Government may take over these sites from the lessees. It is the basest sort of misrepresentation therefore to say that unless the Government owns and operates these developments, the people will be exploited for private gain. The truth is that the taxpayers of the Nation will be exploited for the benefit of bureaucratic inefficiency under the plan of Government ownership and operation.

Here is the opinion of other Cabinet officers:

Secretary Work, in his testimony before the committee on this bill in its old form, H. R. 2903 (hearings on H. R. 2903 at p. 1032), says:

Private enterprise can carry on works of that scope so much cheaper, that in my opinion they can take care of the interest and compete with the Government on a project of that kind and take the business away from it.

Again, at page 1028 of the same hearings, his testimony appears as follows:

I am opposed to the Government doing anything that an individual or a company can do as well and as cheaply, and under the laws of most States the rate is prescribed by the State government as to what charge shall be made for power sold in that State. They may prescribe the height of the poles, the color of them, even. So it is under State government control although generated by private enterprise.

Secretary Weeks, in the same hearings, said, as appears from page 1006:

Now the Federal Power Commission, in sending you that letter to which I have just referred (the letter of March 24, 1924), had no other purpose than the best way of developing this great river. We did believe, and do now, that the method proposed in the bill which you have before you is not the most economical way of doing it.

Personally I am opposed to Government operation wherever the operation can be carried on under private auspices and with private capital. Generally speaking, I think the Government is the least effective of all agencies for carrying on business operations.

Secretary Wallace, in the same hearings, said, as appears at page 1040 thereof:

My own feeling with reference to this river is that it should be developed by private enterprise, under the terms of the Federal water power act. That Federal water power act was enacted by Congress after prolonged debate and consideration of all these questions. It was very properly committed to the administration of the three Secretaries—of War, Interior, and Agriculture—for the very good reasons that each of them had to do with the development of power in their respective departments, and because of the fact that you had three independent departments having to do with power it was very difficult to get intelligent action. One would grant a permit sometimes where another would not.

That act puts the responsibility in the hands of those three administrative offices in order to avoid the difficulties which had existed up to that time.

And let me say further that I think the Federal Power Commission is the most conspicuous illustration you have of the efficient coordination of Government departments.

At page 1041, the following in the testimony of Secretary Wallace:

I am in favor of developing this river under the provisions of the Federal water power act, which throws ample safeguards around the use of the stream and which was designed to, and I think does, protect the interests of all people.

Last year, on March 3, 1926, in his last appearance before the committee considering this bill now before you, Secretary Hoover said with reference to this point:

In the bill as it is now proposed, there are a number of secondary amendments which I believe could well be hammered out by the committee. For instance, it seems to me that we should not depart from the national policy established by the water power act and that the handling of the power question at this dam should be placed in the hands of the Federal Power Commission to give licenses for the use of the water for power purposes under the water power act without imposing a new system of allocation. Of course, any licenses issued should be subject to the approval of the Secretary of the Interior as to the major purposes of finance of the obligations of the Government, and other requirements of the region.

I have no sympathy with the Federal Government going into the power business.

Now, as I have said, my amendments do exactly what these cabinet officers have recommended—place this power development under the Federal water power act—simply that and nothing more.

Permit me also to call your attention to the following in letter of Secretary Mellon with reference to this bill, written on March 18, 1926, to Chairman ADDISON SMITH:

I believe that in general, sound, public policy in America, as elsewhere, is to encourage private initiative and not to have Government ownership or operation of projects which can be handled by private capital under proper Government regulations. The Government operation of railroads in this country was our largest experiment on this line, and a comparison of public and private operation in that field justifies my faith in private enterprise. Canadian and European experience is the same. To get the Government out of business, whether it be in banks, utilities, or monopolies, has become one of the most essential steps to a permanent fiscal restoration of Europe, and I am loathe to have the United States embark on enterprises not strictly governmental in their nature. The fact that a government can furnish capital at lower rates of interest is illusionary, if there be taken into account that the public project pays no tax, and therefore does not bear its share of the cost of government. It seems to me that if the project is one which can pay its own way, private capital can be found. If it can not pay its own way, then we should consider whether all taxpayers throughout the United States should be taxed for the benefit of a part of the country.

Now, the only argument that I have heard for putting the Government into this particular project is that because of its international aspect, and because it is connected with a flood control and irrigation project, it should be handled by the Government. Not one of these reasons present a single argument. They are all based upon the assumption that if the Government does not own and operate the power plant, these other things will be interfered with; but it is expressly provided that all power licenses shall be subject to the superior

right of the Secretary of the Interior to the control of the water for all purposes. There is nothing whatever to take the control out of his hands or to interfere with it if the licenses are taken subject to these conditions. These reasons are baseless; they are mere camouflage, and a second thought and study will show them to be so.

I want to call your attention for a moment to one or two things that are claimed by the proponents of the bill. It is claimed that there is an optional provision in it by which the Secretary of the Interior could lease the right to generate power at the dam. I also want to call your attention to the fact that the present Secretary has made his election with reference to that question, and has said that the Government should construct the generating works at the dam.

I am not sure but that I would be content to let this question rest if the present Secretary of the Interior should have the execution of this legislation. But I have no assurance, and you have none, that if this proposed act should become a law that he will execute it. I am persuaded that any time you give any department or bureau of the Government here at Washington an option to do something, they will do it. And therefore I assume with a great deal of assurance that if there is any option given the Government to construct this plant, its agents will construct it and go into the power business. That is the dream of the Commissioner of Reclamation. The proponents of the bill have consulted him at all times and he has shaped the power provisions of the proposed act.

Some of the proponents say the power will be sold at the switchboard. It may be, or it may be sold somewhere else. I warn all of you on both sides of the Chamber that you are not going to get away from the responsibility of deciding whether the Government shall go into the power business by saying that the power is to be sold at the switchboard. The question is for you to determine whether you are going to put the Government into the power business or whether you are going to keep it out.

I want to call your attention also briefly to another serious objection to this bill which I think will particularly appeal to my Democratic colleagues. You will find a tendency on the part of the Federal Government to invade the rights of the States and to assume control of public utilities; to take from the States their right to control and manage these industries. The provisions of this bill with reference to transmission lines are in point. I want to call your attention briefly to what Secretary Hoover said on that subject in his address at the National Association of Railroad and Utilities Commissioners on October 14, 1925.

The Secretary said:

> I can imagine no more profound invasion of State sovereignty than the substitution of Federal for State control of electric utilities.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. LEATHERWOOD. Quoting further from the Secretary:

> The infinite energies of this great mass of humanity will be dulled and their progress stopped if we are to attempt more than a minor part of their government from Washington. I believe there is no surer method of sapping the foundations of self-government and the sense of responsibility of our citizens than unnecessary extension of Federal control over these economic services which so vitally touch the life of every family, every industry, and every community.
>
> It, therefore, becomes our duty to examine every proposed step in this direction, and where it is not impelled by a resolute necessity we must oppose it, if only for the purpose of the preservation of self-government. There are some economic services which must be regulated by Federal authority. Our problem is to apply these touchstones to each and every case.

There is one other point I desire to call to your attention. It is confidently asserted by the proponents of the bill that the cost will not exceed $125,000,000. It is important for you to consider this, and for this reason: It is proposed in the bill that the Secretary of the Interior shall go out and get contracts sufficient to pay for the construction of all the things provided for in the bill on the basis of the total cost of $125,000,000. However, there is no assurance that the total cost will be $125,000,000. My candid judgment, based upon past experience, is that the cost will be nearly twice $125,000,000. Why do I say that? There will no doubt be brought before this House certain reports by engineers of the Reclamation Service, the last of which, I think, was prepared by F. E. Weymouth, who for a number of years worked in the engineering department of the Bureau of Reclamation.

Gentlemen will point to that and tell you there are the estimates and there are the figures limiting and fixing the cost of this great construction, the greatest the world has ever dreamed of; but I say to you there is nothing in that report except general estimates, and the engineers to whom it was submitted disagreed with Weymouth's conclusions. Now, if it should cost more than $125,000,000, the Secretary having contracted upon the basis of $125,000,000, who is going to pay the difference?

But my time is limited and I simply want to call your attention to how close these engineers of the Reclamation Service get to the facts in making these estimates. I hold in my hand a table of estimated costs of certain reclamation projects and the actual costs after construction. Just for a moment I want to give you the results in two or three cases. I find on the Salt River project that the estimated cost by these engineers, the men who estimated this work, was $5,650,000, while the actual cost, in round numbers, was $10,548,000. On the Yuma project they estimated $2,700,000, while the actual cost was $9,026,000. On the Uncompahgre project the estimated cost was $2,500,000 and the actual cost was $6,715,000. On the Minidoka project the estimated cost was $2,538,000 and the actual cost $8,054,000. On the North Platte project the estimated cost was $3,500,000 and the actual cost was $13,672,000. On the Yakima project the estimated cost was $6,500,000, while the actual cost was $12,161,000. The men who made those estimates for the Government are the men who are figuring the cost of this great project at $125,000,000. Now, in fairness, let me say there are some two or three projects that fell below the estimated cost, but I understand certain units were left out of the original estimates.

All of this is worth thinking about, gentlemen, before you obligate the Government to pay for such an uncertain undertaking. Engineers have never before dreamed of undertaking such a stupendous job.

Now, in conclusion. Much has been said here and elsewhere of the responsibility of those opposing the enactment of the Swing-Johnson bill. Mention has been made of the danger to the lives and the property of the 60,000 men, women, and children living in Imperial Valley in southern California.

There is a real and constant danger there. It is recognized no less by the opponents of this measure than by its proponents. Those energetic and courageous people deserve the utmost encouragement and the fullest protection, both of their lives and of their property.

The Federal Government, under well-established policy and practice, has an obligation to the people of Imperial Valley. They should be protected from flood. Flood protection is the fundamental need, and storage of water for irrigation, domestic supply, and hydroelectric development are matters of secondary importance.

It is obviously true that any development in the Colorado River should be made to serve every possible useful purpose. There can be no logical objection to the fullest development by California or by any other State or other agency of the potential resources of the river, but this development must be accomplished in keeping with the best interests of all concerned.

In addition to protection from flood Imperial Valley needs a regulated supply of water during the low flow of the river. That can be accomplished without committing the Federal Government to an elaborate and purely speculative venture into competition with its own citizens.

We have heard for years of the crying necessity for flood protection, and when we have assembled all the facts and become persuaded of this vital need, we suddenly find ourselves confronted with an entirely new situation. Although used as a nominal argument, flood protection becomes merely a stalking horse for something else—for Government ownership, for an invasion of the rights of the States, for visionary schemes.

This Government does have a responsibility to the people of Imperial Valley so far as protection from the ravages of the Colorado River is concerned. It is a real responsibility and none of us here should ignore it or shirk it. But the Federal Government does not have any responsibility to the people of the Imperial Valley or of Los Angeles or of any other locality for the development of their water supply, for the production of the electrical energy on a basis not enjoyed or desired by any other section of this country.

When we come to a frank and direct discussion of responsibility, therefore, we should place that responsibility where it belongs—upon the supporters of the Swing-Johnson bill. They have placed obstacles in their own path and they are now the chief objectors to any and all proposals that would give protection to those who need it.

Whether it be pride of opinion, honest conviction, or faulty judgment, the proponents of this highly involved and contro-

versial proposition are wholly responsible for the position in which they find themselves.

At home they have created a state of mind which does not comprehend the real issues involved, which does not understand the relationship of California's local problem with the problem of other States and of the Nation. Perhaps they hesitate or refuse to tell their people the truth. This may account for the inspired attacks on mysterious power lobbies and sinister business influences. But unfortunate as the case may be, the people of California must eventually learn that their needs should be considered along with the rights and needs of other States.

We are a Nation of energetic and independent workers, and we have demonstrated beyond any reasonable doubt that our best welfare is served by encouragement of individual effort and of private enterprise.

When the principle of Government operation of our industries shall become recognized and approved, we shall become the prey of the idle, the incompetent, and the demagogues.

So far as Utah is concerned we feel that any flood that may occur in Imperial Valley, any destruction of property, any shortage of water, must in all fairness and justice be attributed to those who say if they may not have exactly what they want they will have nothing, be the cost what it may.

The amendments that we propose to this bill are simple and not involved. They will not prevent people of southern California from receiving every benefit that they hope for by the passage of this bill. They will keep the Government out of business. Can it be possible that the violent opposition that is hurled at every amendment that seeks to keep the Government out of business comes from one who feels that it would take one of the most important planks out of his political platform for 1928 if he should accept them? Some day in the near future the people of southern California will know the real story. If this bill fails, it will not be because it is opposed by a $7,000,000,000 combine that exists only in the minds of those who see things at night, but because a distinguished gentleman—not of this body—prefers to make a political issue out of the needs of 60,000 people in southern California. [Applause.]

Mr. TAYLOR of Colorado. Mr. Chairman, I yield three minutes to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of Sunday observance laws and to print in connection with my remarks a statement of Dr. David G. Wylie, president of the Lord's Day Alliance, and a statement of Dr. Harry L. Bowlby, general secretary of the Lord's Day Alliance.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Chairman, inquiry has been made from time to time as to how a Sunday rest law for the District of Columbia would help any individual in the city of Washington. This is a proper question, and unless such a law would help the people of Washington and the Nation it should not be enacted.

As author of the proposed legislation I have given much thought to this question, both before the introduction of my bill and since, and, to my mind, a sufficient and proper answer to this inquiry is contained in a statement of Doctors Wylie and Bowlby, of the Lord's Day Alliance of the United States, which I am inserting as part of these remarks, and in my personal belief on the subject.

Mr. Speaker, I am prompted in this matter by motives which to me are fundamental.

For I believe in God, the Father Almighty, and in Jesus Christ, His only Son, our Lord. I believe in the book of our mothers—the Bible of our fathers, as the only lamp to the pathway of humanity leading to life everlasting.

I believe that Christianity as taught in that book is the foundation of our national greatness, and that an assault upon the Bible or any of its teachings, by Sunday desecration or otherwise, is a thrust at all we hold near and dear and is an effort to undermine and destroy the great principles and noble institutions which constitute our country's greatness and which through the ages have been gained and established by brave, patriotic, and divinely led men and women, ofttimes at the price of their own sacrificial blood.

I believe that our Nation can never be greater than our citizenship, our citizenship never greater than our homes, our homes never greater than the children reared therein, and our children, who are to preserve this Nation if it is to endure, can never be greater than is the faith of their fathers and mothers in God and in the teachings of His Word.

I believe that our national life, our every constitutional right, our people's welfare, our Christian civilization, our great institutions, our great respect for the noble men and women of the past, our every patriotic motive, our respect for the Bible, our observance of its teachings, our regard and observance of law and order, our belief in God and our love for Him as our Father Almighty are so inseparably connected that an assault upon either is an effort to destroy all.

I believe that the example of flagrant Sunday desecration in the Nation's Capital and the turning away from God, of which Sunday desecration is a part and parcel, are more insidious and more dangerous to our Nation and all the people thereof than the invasion of a foreign army or the bombardment of a hostile fleet.

I believe the city of Washington should be the Nation's model of righteousness rather than its Sodom of ungodliness.

May the peoples of all the earth justly expect to find there the highest and best of which a self-governing people are capable, and may the light of national greatness and purity and godly trust and love shining from this Capital encompass the earth.

Thus believing and praying, I am convinced that Sunday laws for the Nation's Capital will be beneficial not only to every man, woman, and child in the city of Washington but also to all throughout our great Nation.

REASONS WHY THE DISTRICT OF COLUMBIA SHOULD HAVE A SUNDAY REST LAW

(By Rev. Harry L. Bowlby, D. D., general secretary Lord's Day Alliance of the United States, 156 Fifth Avenue, New York City)

AN IMPERATIVE NEED

That the District of Columbia should have a Sunday law as a civil safeguard of our American Sunday and that it should have had such an effective Sunday law long ago who can question? That the Lankford bill "to secure Sunday as a day of rest in the District of Columbia," if enacted, will provide such a law who can doubt if he has made an examination of the bill?

THE BILL ANALYZED

What is this bill? Briefly stated, it would stop the pursuit of ordinary labor, trade, and business on the first day of the week, works of necessity and charity being excepted.

It would prevent the hiring of labor, except for those pursuits which are regarded as "needful" during the day for the good order, health, or comfort of the community, provided the right to weekly rest and worship is not thereby denied.

The bill provides for the sale on Sunday of medicines, surgical articles, supplies for the sick, foods, and beverages. Hotels, restaurants, and cafés are open. Public utilities are given the widest freedom.

The bill very wisely prevents the opening of public dancing places, theaters, motion pictures, or any other kind of silent opera, vaudeville, or other entertainments, and prohibits commercialized sports or amusements.

The bill is in keeping with the better provisions, if not in some instances with the very best provisions, as contained in the Sunday laws of 46 of the 48 States, and it makes an insistent appeal to Congress and the people the Members of Congress represent for pressing forward and securing the most prompt enactment of the law.

CONSTITUTION OF THE UNITED STATES RECOGNIZES SUNDAY

Sunday laws are constitutional. The Supreme Court of the United States so declared in 1886. The Sunday law of the District of Columbia would be in keeping with the spirit and the letter of the Constitution of the United States. (Art. I, sec. 7, par. 2.)

Sunday is definitely recognized as the existing weekly rest day. It makes sure that the President of the United States will not have to give his time even to the important duties that fall to him as the Chief Executive of the Nation. It relieves him from even so much as signing a bill on Sunday. Sunday for the President is a non dies; no business day at all. Impliedly it is likewise the people's weekly rest day and ought to be effectively protected by Sunday law.

CONGRESS SHOULD ACT

Just as charity begins at home, so should Congress protect Sunday, recognized by the Constitution, in that District over which it is charged with supervision, a District in which the head and heart of the Nation, through its executive, legislative, and judicial departments of Government, are located. Face to face with the facts, we have no doubt Congress will gladly enact the Sunday law for the District of Columbia and bring the national seat of government up at least to an average level of the Sunday legislation of the vast majority of the States of the Union.

LINCOLN ON THE CONSTITUTION

"What do you understand by supporting the Constitution of a State or of the United States? Is it not to give such constitutional helps to the rights established by the Constitution as may be practically needed? There can be nothing in the words 'support the Constitution' if you may

run counter to it by refusing support to any right established under the Constitution." (Made in Lincoln-Douglas debate at Jonesboro, Ill., September 15, 1858.)

"If you withhold that necessary legislation for the support of the Constitution and constitutional rights, do you not commit perjury? I ask every sensible man if that is not so? That is undoubtedly just so, say what you please." (Made at Quincy, Ill., October 13, 1858.)

ESTABLISHED RELIGION—A BOGEY

The Supreme Court of the United States on February 9, 1892, declared that "this is a Christian Nation." By that it did not mean that a particular form of the Christian religion is the established religion of America, for the Supreme Court of the United States knew that the first amendment to the Federal Constitution provides that—"Congress shall make no law respecting an establishment of a religion, or prohibit the free exercise thereof."

And the Supreme Court itself in Watson *v.* Jones (Wall. 728) said:

"The full and free right to entertain any religious belief, to practice any religious principle, and to teach any religious doctrine which does not violate the laws of morality and property and which does not infringe personal rights is conceded by all."

A CHRISTIAN NATION

But the Supreme Court of the United States in that excellent decision of February 9, 1892, in the noted case of The Church of the Holy Trinity *v.* The United States (145 U. S. 227) made it very clear that the habits, experiences, and history of the Nation from its early beginnings, from the time Sir Walter Raleigh touched its shores through Jamestown and Plymouth Rock on to the date of its decision, lead naturally and logically to the conclusion as reached by Justice Brewer, who wrote the opinion of the court, "This is a Christian Nation."

Following his able argument based upon a mass of organic utterance, Justice Brewer adds a number of unofficial declarations, among which are mentioned:

"The laws respecting the observance of the Sabbath and the cessation of all secular business and closing of courts, legislatures, and other public assemblages on that day; the church and church organizations which abound in every city, town, and hamlet; the multitude of charitable organizations existing everywhere under Christian auspices; the gigantic missionary associations, with general support, aiming to establish Christian missions in every quarter of the globe."

STATE CONSTITUTIONS AND RELIGION

In that same decision of the Supreme Court State constitutions recognize religion as essential to the well-being of a community and its protection as necessary. The court said:

"If we examine the constitutions of the several States, we find in them a constant recognition of religious obligations. Every constitution of every one of the 48 States contains language which either directly or by clear implication recognizes a profound reverence for religion as an assumption that its influence in all human affairs is essential to the well-being of a community. This recognition may be in the preamble, such as is found in the constitution of Illinois, 1870: 'We, the people of Illinois, grateful to Almighty God for the civil, political, and religious liberty which He has so long permitted us to enjoy, and looking to Him for a blessing on our endeavors to secure and transmit the same unimpaired to succeeding generations,' and so on. It may be in the familiar requisition that all officers shall take an oath closing with the words, 'So help me God,' declared the court."

SABBATH A CIVIL INSTITUTION

In the famous case of Lindenmuller against The People, before the Supreme Court of New York, in 1861, Judge Allen, in rendering the decision of the court ably shows that Christianity is not the legal religion of a State but that the Christian Sabbath is a civil institution, and every State has power to enact regulative laws.

The court said:

"Christianity is not the legal religion of the State, as established by law. If it were, it would be a civil or political institution, which it is not; but this is not inconsistent with the idea that it is in fact, and ever has been, the religion of the people. * * * The Christian Sabbath, as one of the institutions of that religion, may be protected from desecration by such laws as the legislature, in their wisdom, may deem necessary to secure to the community the privilege of undisturbed worship, and to the day itself that outward respect and observance which may be deemed essential to the good order of society.

"As a civil and political institution the establishment and regulation of a Sabbath is within the just powers of the civil government. With us the Sabbath, as a civil institution, is older than the Government. The framers of the first Constitution found it in existence; they recognized it in their acts, and they did not abolish it or alter it or lessen its sanctions or the obligations of the people to observe it.

"The Christian Sabbath is then one of the civil institutions of the State, and to which the business and duties of life are by the common law made to conform and adapt themselves. The same can not be said of the Jewish Sabbath or the day observed by the followers of any other religion.

"The existence of the Sabbath Day as a civil institution being conceded, as it must be, the right of the legislature to control and regulate it and its observances is a necessary sequence." (33 Barb. 548.)

NO COMPULSORY CHURCH ATTENDANCE

There is an abundance of evidence to prove also that there is no intention whatever by Sunday statute to compel a man to go to church, but just as the law renders constructive service for the laboring man, protecting him in his rights of the weekly rest day, so also Sunday law protects the rights of those who wish, undisturbed in a city or community, to worship God on the national weekly rest day.

In the case of Johnston *v.* Commonwealth (22 Pa. 102), Judge Woodward said:

"They (Sunday statutes) were not designed to compel men to go to church or to worship God in any manner inconsistent with personal preferences; but to compel a cessation of those employments which are calculated to interfere with the rights of those who choose to assemble for public worship."

LIGHT FOCUSED ON WASHINGTON

Further, the Capital of the Nation, under the direction of Congress, owes to the Nation her traditions and her customs to bring that area of the Federal Government under such restrictions on the first day of the week, the Christian Sabbath, that will command the admiration of a God-fearing people and prove a worthy example and influence to the youth of America and to the countless thousands who come from foreign shores to visit the Capital of the greatest Republic on earth.

OBLIGATION TO CHILDREN AND TO ITSELF

It has been said that "civilization moves forward on the feet of its children." That being true, the Government owes much to the young who are to be its guide and guardian in the future. The converse is likewise true—through the children, the Government owes much to itself. It should keep the keys to the lock on its doors of future strength and security.

OUR CIVILIZATION DEMANDS SUNDAY

I think it may be shown that an abiding civilization has always gone with the Christian Sabbath, and I believe it will always go with it.

HENRY WARD BEECHER.

The longer I live the more highly do I estimate the Christian Sabbath and the more grateful do I feel to those who impress its importance on the community.

DANIEL WEBSTER.

You show me a nation that has given up the Sabbath and I will show you a nation that has got the seed of decay.

DWIGHT L. MOODY.

Without Sunday there can never be a successful American Republic.

JOSEPH COOK.

SABBATH MIGHTIER THAN ARMED BATTALIONS

Of the capital of the Empire of Great Britain, Count Montalembert once said respecting the success and might of London:

"Men are surprised sometimes by the ease with which the immense city of London is kept in order by a garrison of three small battalions and two squadrons; while to control the capital of France, which is half the size, 40,000 troops of the line and 60,000 national guards are necessary. But the stranger who arrives in London on a Sunday morning, when he sees everything of commerce suspended in that gigantic capital in obedience to God; when, in the center of that colossal business, he finds silence and repose scarcely interrupted by the bells which call to prayer, and the immense crowd on their way to church, then his astonishment ceases. He understands that there is another curb for a Christian people than that of bayonets, and that where the law of God is fulfilled with such a solemn submissiveness, God himself, if I dare to use the words, charges himself with the police arrangements."

CONCLUSION

We have pointed out that Sunday is recognized by the Constitution of the United States as the national weekly rest day for President and people.

We have shown that the validity of Sunday laws has been sustained by the Supreme Court of the United States and that, therefore, Congress should enact an effective Sunday law for the District of Columbia.

We have proved that Sunday laws are not put on the statute books for the promotion of religious observances, but that if a Sunday law protects one in his rights to religious worship, undisturbed or unannoyed—the State and the Nation owe this to him, so much the better, and especially to that vast majority of citizens who acknowledge Sunday as their weekly rest day, and their Sabbath.

NO UNION OF CHURCH AND STATE

We have made clear the fact that Sunday laws could not possibly promote a union of church and state, for the latter means an established church, such as the Church of England or Germany, a church

which, together with its ministry, is supported by the Nation itself. Such a thing for the United States is not only undreamable but unthinkable.

OTHER OPPOSITION AND WHY

It is likewise true that opposition to the Sunday rest bill for the District of Columbia is a determination on the part of a very few to prevent the passage of any kind of Sunday law, and whose avowed purpose, as already stated before the Judiciary Committee and the Committee on the District of Columbia, at hearings on this bill, is to work for the repeal of every Sunday law in every State. If these facts were not serious, it would be absurd for a group of not more than 100,000 religionists in the entire United States to attempt such an ambitious, un-American program and to try to force it upon more than 100,000,000 people of the Nation.

SUNDAY—MONEY DAY

And still another fact deserves mention in this conclusion. There are amusements and sporting corporations and various kinds of businesses determined to make Sunday the biggest money-getting day of the week. These forces frequently use political influence, bore into chambers of commerce, clubs, and even churches seeking aid for their commercial Sunday business. Some of these go to the length of "crashing the gates" of our Sunday laws, and in some instances the process is timidly watched by public officials, who stand supinely by, forgetful of their oath to support the Constitution and to maintain the integrity of the law.

Not only, then, do we urge that the Lankford Sunday rest bill is a fair bill, neither drastic nor intolerant, as our brief analysis explains, but it will also be seen that it recognizes and contends for the meeting of an imperative need of placing proper restrictions upon certain things which have no proper place in our American Sunday in the District of Columbia and of putting the proper civil safeguards about the American Christian Sabbath, the institution that has done more for the security and perpetuity of the Nation than any other single force or factor.

PRESIDENTS OF THE UNITED STATES AND SABBATH

Our Presidents almost uniformly, from George Washington to Calvin Coolidge, have stood four-square for the Christian Sabbath. They have recognized the need of one day in the week when the people and the children of our homes could gather together in houses of worship, Sunday and Bible schools, and build morals and religion into life and thereby aid its people to become pillars of the State in citizenship as well as moral and mental bulwarks of society and their communities and country.

And, as the final word in this statement, we believe we can no better close the argument than with those words delivered by President Coolidge to a delegation of the Lord's Day Alliance of the United States on October 10, 1923, when he said:

"I profoundly believe in the Sabbath and have always recognized its sacred importance. With you, I feel that we should give attention not only to the physical aspects but also to the moral and spiritual phases of the holy day.

"In regard to the other matters you have mentioned, I promise you my influence toward a more wholesome observance of the Sabbath Day in the District of Columbia and elsewhere throughout the Nation."

Statement of Rev. David G. Wylie, D. D. LL. D., President, Lord's Day Alliance of the United States, 156 Fifth Avenue, New York City

I am president of the Lord's Day Alliance of the United States. The men who are directors of that alliance are appointed by the highest bodies, conferences, general assemblies, whatever they may be called, and they are appointed with care.

The men who compose the board of managers of the Lord's Day Alliance are fair-minded men. They are men representing large interests in the business world and ministers of influence and power in the church.

Let me say that the churches that are in this Lord's Day Alliance represent a very large number of people. For example, we represent 8,700,000 Methodists; 5,227,225 Baptists; 2,500,466 Presbyterians; 1,668,906 Disciples of Christ; 1,147,814 Protestant Episcopal; 532,668 Reformed; 405,103 Brethren; 307,177 Evangelical Synod; 108,500 Christians; 42,758 Scandinavian Evangelical; 26,802 Moravians; and various other bodies, 122,928, making a total of about 20,000,000.

I do not say all of those 20,000,000 people look on this question in exactly the same way, but I do say that I know these great bodies really believe in a Sunday. Talk about petitions. If we started a propaganda for signing petitions for the Sunday rest bill we could put down not 100,000, but 1,000,000 or 5,000,000 names of people. If it were a question of arousing the people to put their names on petitions they are ready to do it if we ask them to do it.

WEEKLY REST DAY NEEDED

I happened to attend a meeting 10 years ago of the West Side Republican Club. What was the subject under discussion? Is one day of rest in seven necessary to safeguard the physical, moral, intellectual, and spiritual interest of the people? Who were represented there? The laboring men of the great State of New York by James Lynch, a leader of organized labor; Raynal C. Bolling, the solicitor general of the United States Steel Corporation; Judge Alton B. Parker, who was nominated on the Democratic ticket a few years ago for the Presidency of the United States; Doctor Martin, a professor from Harvard College, etc. I happened to be the only man who spoke for the church. Every man there said:

"We believe that one day of rest in seven is absolutely necessary to safeguard the physical, moral, intellectual, and spiritual interests of the people."

OBJECT

The Lord's Day Alliance of the United States works to preserve a day of rest for toilers and quiet for those who desire to worship and to perform works of charity. The aim of the alliance is to prevent, as far as possible, the commercialization of Sunday, and this is a sane program.

We are encouraged by the testimonies of large employers of labor, for among men of big business there is a concensus of opinion that men and women who spend their Sundays in the right way are more reliable and efficient workers.

"BLUE LAWS"—A MYTH

We hear much about "blue laws." A careful reader of our daily press is almost forced to the conclusion that these two words, "blue laws," are kept in stereotype, ready for instant use in case the Lord's Day Alliance shows special activity in urging and helping to enforce the laws in various parts of the country.

The constant use of the term "blue laws" by the daily press is somewhat disturbing, and there is cause for regret that the press should, at times, hold a great cause up to ridicule, but it has the effect of keeping the important matter of Sunday observance to the forefront.

SUNDAY LAW FOR BARBERS

Some years ago, when the barbers of the State of New York asked the legislature to pass a law closing their shops, there was a cry of "blue laws." However, a law was passed which closed all barber shops, except in the cities of New York and Saratoga. The barbers again approached the legislature and again there was a "hue and cry" about "blue laws." The outcome, however, was a law closing all the barber shops in the State of New York, and this law was signed by Governor Smith. The alliance assisted in securing the law and the barbers are supremely happy.

FIFTY THOUSAND WORKMEN APPEAL FOR SUNDAY REST

Just now some fifty thousand men, who shine and repair our shoes and clean our hats, are asking for Sunday rest, and we are informed that 95 per cent of all these worthy and hard-working people are in favor of the enforcement of the law. The alliance is leading the movement and we are seeking the support of the commissioner of police of the city of New York in enforcing the law. The practical difficulty is that where a few violate the law and keep open on Sunday the rest feel obliged to do so for self-protection.

LAWLESSNESS

Our judges as a class are men of ability and distinction, who seek to enforce the law without fear or favor. As Americans we have reason to be proud of our courts of justice, which are the safeguards of society. Holding the scales of justice evenly balanced is delicate and difficult, and only men of high intelligence and fine character should be appointed or elected judges in our police courts. If a judge holds a certain theory in regard to Sunday and seeks to gain favor of certain classes in a community that desires to keep their places open on Sunday in violation of the law, he is himself lawless and should be removed from office. Lawlessness is one of our national sins. President Coolidge well said in his recent message to Congress: "For any of our inhabitants to observe such parts of the Constitution as they like, while disregarding others, is a doctrine that would break down all protection of life and property and destroy the American system of ordered liberty." All citizens who love this country and are seeking its best interests should unite in enforcing the laws, whether in municipalities, States, or Nation, and we call upon our judges and enforcement officials to be true and loyal to their oaths and faithful in enforcing our laws.

All of our States have Sunday laws except California and Oregon. As a rule, these laws are fair and just and make ample provision for works of necessity and mercy. Sunday laws have been declared constitutional by courts of justice in the various States and by the Supreme Court of the United States.

THE GREAT QUESTION

The Sunday question is one of the big questions before the public at the present time, and we are confident that the American people will uphold laws enacted for the purpose of giving a day of rest from toil and of freedom for worship. The day is intended for the betterment of the individual, the home, the State. We believe that the Mighty

Ruler of Nations will be with us in our efforts to preserve the day of rest for ourselves, for our children, and for generations yet unborn.

God bless our native land;
Firm may she ever stand
Through storm and might;
When the wild tempests rave,
Ruler of wind and wave,
Do thou our country save
By Thy great might.

For her our prayers shall rise
To God above the skies;
On Him we wait;
Thou who are every nigh,
To Thee aloud we cry,
God save the State.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. BUSBY].

SUNDRY MESSAGES FROM THE PRESIDENT

The committee informally rose; and the Speaker having resumed the chair, sundry messages from the President, in writing, were communicated to the House by Mr. Latta, one of his secretaries.

LEGISLATIVE APPROPRIATION BILL

The committee resumed its session.

Mr. BUSBY. Mr. Chairman and gentlemen of the committee, during the short time I shall talk to you I will address my remarks to the proposed public buildings bill that will likely come before you for consideration this coming Monday.

I very much dislike to find myself in a position where I have to oppose this bill. I do so, because I believe my opposition to the Elliott bill when it was enacted into law was correct. This proposed measure seeks to extend the Elliott bill by giving additional funds which can only be reached at the end of five years from now.

I want you to follow me closely, and I will show you the reason we should not go into this public buildings bill at the present time. The Elliott bill passed the House and became a law the 25th day of May, 1926. Under the terms of that bill there was authorized $100,000,000 to be used for public buildings throughout the country. There was $15,000,000 provided for to be used in completing buildings that had been authorized under the 1913 buildings act and acts prior to that time.

The Reed bill is very short. It contains only a few lines. It seeks to strike out the figures "$25,000,000," which was the annual amount that might be expended under the Elliott bill, $10,000,000 in the District of Columbia and $15,000,000 in the country at large, and insert in lieu thereof "$35,000,000," which would give $25,000,000 for the country at large and leave $10,000,000 for the District of Columbia. It also seeks to strike out the figures "$150,000,000" where they appear in the bill and insert in lieu thereof "$250,000,000."

In other words, it seeks to raise the amount which may be expended each year $10,000,000. It seeks to increase the amount authorized from $100,000,000 to $200,000,000. Now, if we were to increase the amount that may be spent to $25,000,000 a year with which to construct Federal buildings for the country at large instead of the $15,000,000 limit authorized before, we will have $115,000,000, which would provide $25,000,000 for each of 4⅗ years. We have now authorized enough to last us for five years to come. They told us last session that this was an experimental proposition; that we were going to put it on and if it did not work to satisfaction we could substitute a bill giving a definite project to be constructed at a definite amount. And yet, before they have put it in operation, even as an experimental proposition, they come along with another bill and seek to increase the authorized amount $100,000,000, which will carry us at the maximum almost eight years from the present time when we have enough authorized to carry us five years.

Some one says, Will that not give us more buildings? It will not change the policy of administration of the building program one bit; there is nothing in the bill to suggest the change of policy, but it will be for the Secretary of the Treasury to decide, if the bill is passed, as it is the policy for him to decide at the present ime.

An estimate has been submitted of the public-building needs of the country. Each of you, I presume, have procured House Document 651, which contains a survey made by the Treasury and Post Office Departments.

In this survey there is recommended projects of construction to the amount of $176,000,000 connected with the post office activity, and in addition there is enough recommended for other Federal buildings not connected with the Postal Service to the amount of $194,000,000. Now, increasing the amount that may be spent during the next eight years to $200,000,000, where can you see that we put in any extra buildings besides those already recommended?

I have great regard for the chairman of the committee, I have a very high regard for the author of the bill, the gentleman from New York [Mr. REED], but in principle I am opposed to this proceeding.

It is amusing to me to see how they will pacify Members when they come to them. The Supervising Architect will pacify gentlemen who make complaints about the estimates. I am told by several who have gone down there that they say, "Oh, yes; we will make an estimate for you and put it in." What good will an estimate do? It is nothing but a piece of paper, and yet the Member is satisfied. If $25,000,000 is to be expended and all they can expend, they are going to put some one in and crowd some one out. I presume the man that does the most kicking for the thing will get the most promises, but I doubt if he will get any more buildings. But they will put you in for that estimate.

My idea is that $25,000,000 is too low. You remember that last year I advocated the proposition of putting $25,000,000 for the country at large into this bill, and they said I was wrong and outvoted me. They heaped troubles upon me from every direction. Then this year they come and say, "You are right; it ought to be $25,000,000." I say it ought to be $25,000,000. If we are going to place the maximum we ought to place it as high as $50,000,000. We do not have to reach it, but we do not want to be tied down. For years we have gone along and had no public-building construction, and we have got badly behind. It seems to me a sort of pinch policy to authorize the construction of cruisers and other expensive construction and then limit the public program of this country to $15,000,000 or $25,000,000 a year.

Mr. PEERY. Will the gentleman yield?

Mr. BUSBY. Certainly.

Mr. PEERY. Will the addition of $100,000,000 take care of all post offices in the country having receipts of about $20,000 a year, and two in each State whether they had that amount or not?

Mr. BUSBY. No; the estimate shows that it would take $346,000,000 to take care of all of the Federal post-office buildings that have receipts of more than $10,000 a year.

Mr. PEERY. My question applies to offices having receipts of $20,000 a year.

Mr. BUSBY. They do not have that separated. They say there are 799 places that have over $20,000 of receipts a year, and about 900 with $12,000 a year receipts, that are not estimated for, for public buildings in the $176,000,000 of estimates for post-office buildings, but all of the remainder of the $200,000,000 is in estimates for buildings of another character. If this hundred million dollar authorization would speed up the building program by furnishing more money, I would be very much persuaded not to oppose it, but there is this proposition about it. It will not be reached for a period of five years, because we have enough authorized now to last practically for five years, and it is better for us to defeat this and wait until what we have has been consumed or until the plan has been thrown overboard by this Congress, and I believe it will be within the five years, and we will be in just as good shape when the need comes to authorize it and the country will not suffer a dollar and the program will not be retarded as it is to-day.

What we ought to do is to pass a bill embodying one feature that the Reed bill has of raising the limit from $15,000,000 to $50,000,000 that may be spent each year. We do not want to reach that limit. Why have a limit? The Budget says that they would like to know something about what they may be called upon to estimate for.

Mr. O'CONNOR of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. BUSBY. Yes.

Mr. O'CONNOR of Louisiana. In the event that we pass this authorization bill, and it is probable that we will, what will be the total expenditure made by the Government for building purposes year after year?

Mr. BUSBY. Twenty-five million dollars, outside of the District of Columbia and $10,000,000 in the District.

Mr. O'CONNOR of Louisiana. And that means $35,000,000 a year?

Mr. BUSBY. Yes; $35,000,000 for the country at large. That is under the Elliott bill.

Mr. O'CONNOR of Louisiana. In the event that we pass this bill on Monday, then what will the Government be able to spend in building operations as a total every year?

Mr. BUSBY. It will be $35,000,000 under the Elliott bill, but all of these other activities like the triangle purchase and the Supreme Court Building and the authorization of these

District of Columbia projects are outside of the limitations that we have bound ourselves down to for the rest of the country. I want you to get that. They are not tied up in this bag that we have put the whole country in and that you are backing up by your votes. There is no limitation on how much they may spend for the District of Columbia activities which we are running over ourselves to back up here.

Mr. THOMPSON. Mr. Chairman, will the gentleman yield?

Mr. BUSBY. Yes.

Mr. THOMPSON. Does the gentleman not think it would be wise to amend the basic law so that there could be more than two buildings mapped out for erection in each State. Take, for instance, the State of Ohio. It is a very great State, and it has many sites for buildings. They allow us only two buildings.

Mr. BUSBY. Yes.

Mr. THOMPSON. An amendment put on in the other body could readily change it, because it was a mistake to pass that law, and if we are going to pursue the policy and take the function away from the Congressman of the naming of his own building, then I think there should be more buildings allowed than two in a great State like Ohio.

Mr. BUSBY. I am very glad the gentleman has raised that point. I think there should be; but, mind you, the Secretary of the Treasury has met the requirements when he makes the estimates for those two buildings. He does not ever have to build them, and all he has to do is what he has done to pacify a great many perturbed Members on this floor. He has told them that he will make an estimate for them for buildings in their districts, and they go home happy and satisfied with an estimate and never a building.

Mr. APPLEBY. Does the gentleman not think this bill of last year, which specifically provided post offices where the Government had sites, is better than this bill?

Mr. BUSBY. It strikes me that the right policy for Congress to pursue is to keep within its hands this power and exercise it with discretion after having acquired the information it needs from these various departments. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 20 minutes to the gentleman from Idaho [Mr. SMITH].

Mr. SWING. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from California makes the point of order that there is no quorum present. The Chair will count.

Mr. SWING (interrupting the count). Mr. Chairman, I withdraw the point of no quorum.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. TILSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate further insists upon its amendments Nos. 8, 9, and 10 to the bill (H. R. 16462) entitled "An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, and to provide urgent supplemental appropriations for the fiscal year ending June 30, 1927, and for other purposes," disagreed to by the House of Representatives, and agrees to a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate Mr. WARREN, Mr. CURTIS, and Mr. OVERMAN.

The message also announced that the Senate had passed without amendment House Joint Resolution 292, to amend the act entitled "An act granting the consent of Congress for the construction of a bridge across the Delaware River at or near Burlington, N. J.," approved May 21, 1926.

LEGISLATIVE APPROPRIATION BILL

The committee resumed its session.

Mr. SMITH. Mr. Chairman, on the 22d of December the Committee on Irrigation and Reclamation, of which I am chairman, reported a bill (H. R. 9826) to provide for the protection and development of the lower Colorado River basin. This proposed legislation represents about 6 years of study by the Committee on Irrigation and Reclamation and about 12 years of study by the engineers of the Government operating under the Reclamation Service, the Federal Power Commission, and the United States Geological Survey, and also by engineers employed by various irrigation districts in southern California interested in flood protection, and making available water for irrigation purposes.

I invite your attention to the map of the northern part of Lower California in Mexico and the southern part of California. The Colorado River comes down from the mountains of Utah, Wyoming, Nevada, Arizona, and Colorado, making a great delta in Mexico, which has been filling up through centuries by the deposit of silt from the waters of the Colorado River.

Every spring and summer there are great quantities of water overflowing the lands in Southern California and Lower California in Mexico. Centuries ago the Gulf of California extended up to what is now the Salton Sea but silt closed off the water, and the Salton Sea became an inland sea nearly 300 feet below the ocean level. As the water receded it left a great deal of very rich land surrounding the Salton Sea, which about a quarter of a century ago was looked upon as a very desirable section to place under irrigation, and a canal was built to bring the water from the Colorado River through Mexico to reclaim the land surrounding the Salton Sea, and over 400,000 acres have been reclaimed in a period of over 20 years. It was soon found, however, that it was necessary to protect the lands from flood waters by building levees; as the silt in the water raised the bed of the river about 10 inches every year, and at great expense they have been constantly raising the levees.

About 1905 the Colorado River broke from its bank at a point near Yuma, Ariz., and turned into the valley then direct into the Salton Sea. Nearly 50,000 acres of land were ruined because of the canyons formed through the soft silt by the rushing waters. Colonel Roosevelt was President at that time and he was appealed to by the people there to come to their rescue. He sent a special message to Congress urging relief but Congress failed to undertake the work. He then called upon the Southern Pacific Railroad Co., of which Mr. Harriman was president, and insisted that he should turn his engineers to work to stop the flood by turning the water back into the Colorado River in Mexico.

The railroad company expended over $2,000,000 to stop the waters going into the Salton Sea and turn them to the south into the old river channel. About 14 years later the river again broke out and rushed in a westerly direction into the Volcano Lake section, and after a number of years filled up that section of the country. Then the people living in the Imperial Valley, nearly 60,000 in number, where there are many towns and cities, combined together to build levees into what is known as the Pescadaro Cut and further down near the old channel of the river, which in 1909 flowed along the eastern section of Lower California. The railroad company was never reimbursed for the expenditure incurred in restoring the river to its old bed. It was estimated by engineers when this Pescadaro Cut was built and the levees raised that in 10 or 12 years the bottom of the river would be so high that it would be impossible to confine it to its banks and it would be necessary for them to look to some other source for relief. On the advice of the engineers they turned to the plan to build a dam up the Colorado River and hold the water back during the flood season, also to build an all-American canal—indicated by the red line—so they would not be dependent upon the canal in Lower California in Mexico. Now, there is another feature which is a very strong argument in favor of our having the canal in the United States, and that is, in addition to the river constantly rising, there is also danger of the canals being blown up or seized and stop the water supply of the people in the Imperial Valley. The proposition was looked on with a good deal of favor, and Congress has been during the last 10 years gathering engineering data in reference to the building of a dam on the Colorado River and an all-American canal and use the water in our own country instead of having it first go into Mexico and then back into the Imperial Valley.

There are a number of dam sites on the Colorado River which have been investigated, but the engineers have concluded it would be most advantageous to build a dam at Boulder Canyon. In reference to the danger of floods, there is probably no one who is better informed in regard to the importance and necessity of controlling the floods than the Member of Congress from Arizona [Mr. HAYDEN]. He was born there and has lived there his entire life. He has shown more distinctly than I could explain here the importance of this flood control, and I wish to read from a statement made by Mr. HAYDEN in regard to menace of floods in this section. He says:

Undoubtedly the Colorado River has broken into and filled the Imperial Valley a number of times during past geological ages. In 1905 and 1906 the river broke into the valley and threatened its destruction. When the river reached the Salton Sink, it began to cut a channel nearly a half mile wide back through the soft soil, which can be seen to-day as a great scar which extends through the length of the Imperial Valley. With a fall of over 200 feet in less than 100 miles, the Colorado washed out this deep channel at the rate of half a mile a day, and if the break had not been stopped the cutting would have continued until

the Yuma reclamation project in Arizona was reached. Every engineer who has studied the situation says that if another break should occur, which could not be closed, that the Colorado would begin where it left off in 1906 and cut its way back to the siphon at Yuma and to the Laguna Dam, and that both of those structures would be destroyed.

The first effect of such a disaster would be to dry up and turn back to the desert again both the Imperial Valley and the lands now under cultivation at Yuma, because the river would be running in the bottom of a deep gorge and there would be no way to raise the water to the level of the existing canal systems. The engineers also agree that sooner or later that calamity is bound to occur, because the Colorado is continually raising its delta by the deposit of over 100,000 acre-feet of silt each year. The river can not continue to run on top of a ridge. It must break over some time.

The only way that such a disaster can be prevented is to build a great dam in the Canyon of the Colorado which will be high enough to create a reservoir of a size sufficient to store the entire flow of the main river for over a year. Such reservoir sites have been found and the question now is to determine which site is the best and how the dam shall be constructed. It is upon this question that opinions differ but a solution must be found and the work commenced without delay. If nothing is done, California will be the first to suffer, but Arizona can not escape sharing the tremendous loss of life and property which is sure to come if we do not exert every effort to control the floods of the Colorado River.

It is now proposed to build a dam at this point [indicating] in the Colorado River, known as the Boulder Canyon dam. The plans contemplate building a dam 550 feet high. As I remarked a moment ago, there is so much silt in this water that the question of silt must be taken into consideration, and it is estimated that it will be 300 years before the reservoir created by this high dam would fill up with silt, whereas the reservoirs created by proposed dams elsewhere in the river would be much more shallow and their life, so far as controlling the floods are concerned, would be much shorter. At Boulder dam site the water would be backed up nearly 80 miles and make a great inland sea, and the water would be let down as needed for flood-control and irrigation purposes.

There is some objection raised to this bill because of the fact that if the flow of the stream is equated it would enable the farmers in Lower California in Mexico to place additional lands under cultivation, and in that way they would be competing with us. But large storage plus the all-American canal guards absolutely against that possibility, but would be kept within the boundaries of the United States, to the extent that the United States pursuing a sound national policy desires.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. SMITH. Certainly.

Mr. HAYDEN. Does the gentleman know the capacity in second-feet of the all-American canal?

Mr. SMITH. I am not sure that that question has been raised, but it is estimated that it would irrigate 900,000 acres of land, about 500,000 more than is now under cultivation.

Mr. HAYDEN. The estimates I have given are for 900,000 feet and the discharge from the reservoir as 13,000 second-feet. I would like to inquire where the additional 4,000 feet would go?

Mr. SMITH. It would go to Lower California, but with the large storage at Boulder dam the Government would not be required to let it down during the irrigation season.

Mr. SWING. The discharge from the dam would be whatever the Government saw fit to make it.

Mr. STALKER. May I ask the gentleman: Is the farm bloc in favor of it?

Mr. SMITH. It has been indorsed by the American Farm Bureau Federation. The crops raised in Imperial Valley are not raised elsewhere and would not come in competition with other sections.

Mr. STRONG of Kansas. Is the antifarm bloc in favor of it?

Mr. LARSEN. The gentleman speaks of diverting the river at the point where it now enters Mexico?

Mr. SMITH. No. The diversion for the all-American canal is at a point 10 or 15 miles above the international boundary line.

Mr. LARSEN. What right have you to regulate that river going into a foreign country?

Mr. SMITH. It is an American river. There is no treaty with Mexico giving Mexico the right to use the water.

The cost of the Boulder dam is a very important item. I wish to say to the Members of this House that we are not coming here with the expectation of getting this money from the Government without paying interest. The bill provides that before any money shall be expended in the construction of this work the Secretary of the Interior shall make contracts for the sale of water and of power in sufficient quantity to reimburse the Government at the rate of 4 per cent interest for a period of 50 years or less.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield there?

Mr. SMITH. Yes.

Mr. ARENTZ. Does not the gentleman from Idaho think that the most important consideration, aside from supplying water for culinary purposes in southern California, is the supply of water in the Imperial Valley, and that the consideration of the allocation of water to the several streams abutting on the Colorado River is one of the most important considerations in connection with this bill?

Mr. SMITH. Undoubtedly.

Mr. ARENTZ. And that if the objection is raised by Utah as to Arizona being outside the compact, by a very short amendment this could be remedied by providing that until Arizona does come into the compact the Federal Power Commission shall have no authority to allocate water or give permits for the use of water other than a reasonable amount that should be allocated to Arizona?

Mr. SMITH. Yes. I expect to touch on the compact a little later on.

Mr. WINTER. Mr. Chairman, will the gentleman yield there?

Mr. SMITH. Yes.

Mr. WINTER. The gentleman has spoken in regard to the contracts that the Secretary of the Interior must enter into in order to get back the construction cost. Will the gentleman state whether there is a demand already existing by which the Secretary would be able to make such contracts?

Mr. SMITH. Undoubtedly there is such a demand. Representatives from the cities of southern California have convinced the committee that the demand for power there and for water for domestic purposes is so great that there would be no doubt at all but that the money would be available to reimburse the Treasury within 50 years, and possibly within a much shorter period.

Mr. COLTON. Mr. Chairman, will the gentleman yield?

Mr. SMITH. Yes.

Mr. COLTON. Does the gentleman realize that it is by the dam that you provide the means to generate such power as is now generated in California for high-power needs?

Mr. SMITH. It is optional whether the Government shall build the power plant or not. The Secretary is not to be expected to sell power in such quantities as would interfere with the business of the already established power companies or more rapidly than the market can absorb.

Mr. MICHENER. On what building price for the cost of the work are the contracts to be made for $125,000,000 or more?

Mr. SMITH. The engineers have estimated that the all-American canal, the power plant, and the dam would cost $125,000,000, including $20,000,000 as interest over the construction period.

Mr. MICHENER. Assuming that the dam cost $200,000,000, would that cost be taken care of by the contracts so let?

Mr. SMITH. Certainly.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield the gentleman 20 additional minutes.

Mr. SMITH. I wish now to refer to the need of the cities in southern California for additional water. It is absolutely necessary for some arrangements to be made in regard to a water supply for domestic purposes for those cities which are growing at such a rapid rate that the present supply of water, which comes from far up in the State of California, and which is not sufficient to assure them of an adequate water supply after three or four years.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. SMITH. Yes.

Mr. O'CONNOR of Louisiana. The gentleman from Georgia asked you a very interesting question, a question that has been repeatedly discussed on our side of the House in private conversation, and that is whether or not you can divert water from Mexico by way of this canal without a treaty. The gentleman nodded, and we did not know exactly whether you meant it could be done or could not be done. The interest in that matter has been emphasized as the result of the many legal battles in this House over river and harbor bills.

The advocates of the Lakes proposition urge with a great deal of force that as a legal proposition we in our own country could not divert waters from one watershed to the other, and if that be the case, a fortiori, there ought to be considered the question as to whether or not we can divert waters that now

naturally flow into another country. I am not commenting upon the merits of the proposition but am asking for legal information.

Mr. SMITH. It was brought out in the hearings by legal authorities that the United States owns and controls the water falling within its own boundaries. Mexico has no particular right to the water, but after the United States has secured physical control of the water by this development, doubtless it will let down sufficient water to irrigate land in Mexico now irrigated, and if a treaty is made to fulfill treaty obligations. We have already agreed that Mexico shall have sufficient water to irrigate as much land in Mexico as is now irrigated in the Imperial Valley. They are already using it and we made that concession in order to get our canal in their country, and when we build the all-American canal and bring the water to our own borders we plan to continue that but not recognizing any right in them to use additional water.

Mr. FAIRCHILD. If the gentleman will permit, I will say, in further answer to the gentleman from Georgia, that there is now in existence a commission, appointed by act of Congress passed a number of years ago, to confer with a like commisson to be appointed by Mexico with reference to the Rio Grande. Mexico has delayed appointing any commission as a result of which, only a few days ago, the Committee on Foreign Affairs voted out a resolution, to meet the wishes of Mexico, enlarging the power of that commission so as to include the waters of the Colorado in the study they will make of the Rio Grande.

Mr. LARSEN. Then I understand it is contemplated we shall make some arrangement with Mexico?

Mr. FAIRCHILD. That resolution was reported out by the Committee on Foreign Affairs only a few days ago.

Mr. LARSEN. I did not think we would have any right to divert water running into a foreign country.

Mr. LOWREY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LOWREY. I hold that the gentleman from Georgia is out of order in claiming that Mexico and other Spanish-American people have rights which this Government ought to respect.

Mr. SMITH. Now, Mr. Chairman, I will insert in the RECORD some statistics showing what has been expended by the people of southern California in protecting themselves against these floods. It amounts to over $9,000,000 and over $200,000 a year is being expended now by the people living in this Imperial Valley; but, as I indicated, regardless of the amount of money expended, it will soon be impossible to protect themselves against these overflows when the beds of the river are filled up, as they are being constantly, to such an extent that they can not control the stream:

LEVEE CONSTRUCTION

EXTRACT FROM THE REPORT OF COL. WILLIAM KELLY, CHIEF ENGINEER, FEDERAL POWER COMMISSION

(Transmitted to the chairman of the committee, March 17, 1924, by the Secretary of the Interior)

Expenditures for river control below Laguna Dam

Reclamation Service:		
Yuma project levees (built 1905–12); length, 54 miles—earth embankment, 3,040,000 cubic yards; rock revetment, 1,650,000 cubic yards; construction and maintenance, 1905–1923		$3,234,500
California Development Co.:		
California Development Levee (built 1906–1909), 27 miles, 10 miles rocked	$1,100,000	
Volcano Lake Levee, 8 miles built 1908; raised and reveted in 1912; 10-mile extension built 1914–15	525,000	
Total		1,625,000
United States Treasury, general fund:		
Ockerson Levee, 24.5 miles (1910–11)	800,000	
Repairs and betterments to California Development and Volcano Lake Levees by Ockerson (1910–11)	200,000	
Repairs to California Development and Volcano Lake Levees by Marshall, 1915	100,000	
Total		1,100,000
Imperial irrigation district:		
Volcano Lake, raising and riprapping 1916–1922 (approximate)	500,000	
Fund furnished General Marshall for repairs, 1915 (raised by subscription)	100,000	
Saiz Levee, 1919 (destroyed) (estimated)	60,000	
Saiz Levee, 1922 (estimated)	80,000	
Bee River Levee and Pescadoro cut-off (1921–22)	413,000	
Raising and revetting upper end of Ockerson Levee and revetment and repairs to California Development Levee (estimated)	300,000	
		1,453,000
Total cost of levees		7,412,000
Southern Pacific Railroad:		
Closing first break, to Dec. 1, 1906	$1,375,000	
Closing second break, Dec. 7, 1906–July 21, 1907	1,084,000	
Total		$2,459,000
Grand total for river control		9,871,500

The average annual cost of maintenance of levees for the past six years is as follows:

Yuma project	$86,500
Imperial Valley, all districts	200,000

The Imperial Valley irrigation district alone has paid for construction and maintaining the levees for the year 1924, $76,236; for 1925, $81,710; and for 1926, $112,959.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. SMITH. I yield.

Mr. SPROUL of Kansas. Does the gentleman contend that the Federal Government is under any obligations to furnish a water supply for Los Angeles and other southern California cities?

Mr. SMITH. If, in performing its strictly Federal functions of flood control and river regulation and reclamation, it can so shape the development as to make it possible for these cities to supply their necessities, it certainly should do so. The Federal Government is looking after the people of the country under the general welfare clause of the Constitution, and it is its duty to cooperate in making available to them the natural resources of the country if they are willing to pay the expense of developing them.

Mr. SPROUL of Kansas. Has the Federal Government heretofore supplied Los Angeles with its required amount of water for domestic and city use?

Mr. SMITH. No; and it is not doing so in this case, excepting to make it possible for them to secure this water, and at their own expense.

Mr. SPROUL of Kansas. The next question is: Are the flood conditions in the Imperial Valley any worse nowadays than they have been for many years?

Mr. SMITH. Absolutely so. As I stated, they are growing constantly worse, because every year the bed of the river is growing higher and that makes it more difficult to control. The river is now in the last remaining depression on the ridge of silt along which it runs. When this depression fills, as it will if we do nothing, I hesitate to contemplate the flood catastrophy sure to result—a catastrophy that will be without parallel in the Nation's history.

I wish to refer briefly—because my time is limited—to the reasons this legislation has not been enacted. I am sure every Member here is curious to know, in view of the urgency of this legislation, why more progress has not been made toward having the bill considered by this House. In four successive Congresses this legislation has been before the Committee on Irrigation and Reclamation. During the last two Congresses we have held hearings on an average of twice a week; and I wish to say here that not a cent of expense has been incurred by the committee for witnesses. They have come here from the Pacific coast at their own expense time and time again.

It has never been necessary to subpœna anyone, but we have called before the committee every person who wished to come and have called everyone whom it was suggested by members of the committee should come, including representatives of the power companies, newspaper editors, and engineers throughout the country, whose testimony fills many volumes.

The consensus of opinion is that this legislation should be enacted, and the reason it has not been earlier reported by the committee has been out of deference to two members of the committee who have opposed it, one of whom spoke here to-day. The gentleman from Utah [Mr. LEATHERWOOD] has consistently opposed this legislation unless certain amendments he advocated are adopted; and as he indicated to-day, the amendments he wishes have reference to how the power shall be handled.

The bill gives to the Secretary of the Interior authority to build the power plant and distribute the power at the switchboard, and the amendments offered by the gentleman from Utah provide that the Secretary shall have nothing to do with it whatever. In other words, although the Government owns the land on both sides of the river, and we contend by reason of that fact owns the land under the river, yet the Government, under his amendments, shall not be permitted to use its discretion as to whether it shall build the power plant in that great canyon.

Because of the precipitous walls of that canyon and its great depth and narrowness, it is impossible for two or three agencies to be engaged there at one time in building a power plant, and it would be difficult to determine, if there were more than

one power company bidding, which particular power company should build the plant. We contend that it should be left to the Secretary of the Interior to determine whether the Government should build the power plant or if it should be built by private capital. If the Government builds the plant the power would be generated and distributed among the several States in an equitable way instead of favors being given to certain people, as might be the case if it were in the hands of private ownership.

It was found desirable as indicated by the gentleman from Utah [Mr. LEATHERWOOD] this afternoon, to secure an agreement among the States as to the division of the water. The upper basin States were apprehensive that unless some agreement was reached the lower basin States would get more water than they were entitled to. So a law was passed by Congress authorizing the seven States in this watershed to agree upon a compact, with the hope they would bring to Congress some agreement which would relieve any possible danger of litigation, and in this way remove the objection to the enactment of this legislation.

This commission met more than four years ago, and there was on the commission, under the act of Congress, a representative of the Federal Government, Mr. Herbert Hoover, the Secretary of Commerce. They held extensive hearings and finally decided they would not try to make a division among the States, but would make a division between the upper basin States and the lower basin States. The agreement was signed by every member of the commission; but the law also provided that the legislatures should ratify the agreement. Six of the States enacted legislation ratifying the agreement. Arizona ratified the agreement conditionally, but this was vetoed by the governor March 24, 1925. Consequently, Arizona is still out of the compact.

The pending bill was amended to provide that it should be a six-State compact and that the dam should be built, one end of it in a State that had already ratified the compact. Recently Utah withdrew from the compact, largely because of the fact, as we believe, that the gentleman from Utah [Mr. LEATHERWOOD] was sufficiently influential with the delegation here in Congress to prevail upon them to join him in a wire to the Governor of Utah asking him to urge the legislature to pass an act withdrawing from the compact unless the committee would agree to adopt the Leatherwood amendments, which, if adopted, deprives the Secretary of the Interior of the option of constructing the power plant.

When the Leatherwood amendments were offered in the committee they were discussed at great length at several sessions, and there were only three members of the committee who were in favor of the Leatherwood amendments, and those three were not a unit.

If I misstate the position of the gentleman from Arizona, he will correct me; but I think the gentleman from Arizona was not opposed to the bill because of our refusal to adopt the Leatherwood amendments. The objection of the gentleman from Arizona was based on other grounds—because Arizona was not in the compact.

Mr. HAYDEN. Will the gentleman yield?

Mr. SMITH. Yes.

Mr. HAYDEN. Does the gentleman believe it is within the power of the Congress of the United States to divide the waters of the Colorado River or any other river by definite allocations to the States?

Mr. SMITH. We are not trying to do that. We propose to let the States agree among themselves, if possible; but the Federal Government certainly has the right to construct a dam on its own property upon a stream which is not navigable without the consent of either of the States. Otherwise, the Federal Government would have to acknowledge that it is not superior to the States.

Mr. HAYDEN. Does not this bill propose to ratify on the part of Congress an allocation and apportionment of waters amongst the States?

Mr. SMITH. Absolutely not; except as between the upper basin States and the lower basin States.

Mr. HAYDEN. The States have not yet agreed upon that, and is it within the power of the Congress to make that kind of division when the States do not agree?

Mr. SMITH. I think it is competent for Congress in advance to consent to the States so agreeing, and it is certainly competent for Congress to provide that the United States shall be subject to the provisions of this compact.

Mr. HAYDEN. That is exactly what the situation is.

Mr. SMITH. There is one thing I can not understand. If the gentlemen opposed to this legislation think their position is so well taken and can be so ably fortified, why do they not allow this bill to come up on the floor of the House? When we had the special rule under consideration before the Committee on Rules to give this bill a privileged status on the floor of the House of Representatives, whom did we find there opposing it? Only the gentleman from Utah [Mr. LEATHERWOOD] and the gentleman from Arizona [Mr. HAYDEN]. They were the only two Members from the entire western country who are opposing the bringing out of this bill.

We feel very confident of our position, and we believe if the bill is brought out on the floor of the House of Representatives the Members are capable of weighing all the arguments, and we are sure that the conclusion you will reach will be a wise one. In any event that is our manner of enacting legislation. When there is a controversy over measures they are brought into the open House, and arguments are presented for and against, and a conclusion reached by a vote. But for two men to attempt to prevent the Committee on Rules from bringing out this piece of legislation supported by practically all the people in the western country is unfair and unreasonable. [Applause.]

Now, I am not criticizing the Committee on Rules. I never knew of a Committee on Rules where the members were more courteous and more patient than this committee has always been. They sat for three days continuously to hear arguments on this legislation. As far as I am personally concerned I still believe that the Committee on Rules will bring this bill out. There has been no time so far in which the House had the opportunity to consider it since the bill was reported on December 22. Other legislation had the right of way. I believe the committee will bring the bill out and let the House consider it and determine whether or not we shall put this legislation over another year or whether the House wants to act on it now.

As chairman of the Committee on Irrigation and Reclamation I have felt humiliated because the bill was kept in the committee for such a long time. I considered it a reflection on my management of the program of the committee, and consequently I insisted on taking a vote on it, and yet the persuasiveness of the gentleman from Arizona was so great that at the last moment I was almost impelled to let it go over until after the holidays, but finally we reported it out on the 22d of December, with only three dissenting votes.

Mr. VINCENT of Michigan. Will the gentleman yield?

Mr. SMITH. Yes.

Mr. VINCENT of Michigan. The gentleman said that California had stayed out of the compact unless it could have certain provisions in the bill.

Mr. SMITH. California claims it will be bound by the compact the instant the bill is passed. Other States have questioned the form of the California action. Hence the bill contemplates a reratification by California, which is agreeable to that State and which is merely formal and will doubtless be made within a day or two after the passage of the bill. California, under the six-State plan, in effect, underwrites the lower basin States in favor of the upper basin States. Hence she took the position that if she was to assume this obligation she should be assured of sufficient storage of the flood waters to make it possible for her to operate under it.

Mr. WINTER. Is it not true that under the provisions of the bill not a dollar will be spent unless California does ratify it?

Mr. SMITH. Absolutely. Arizona is not handicapped at all by the bill as we have shown. There is no controversy over the water in Arizona; the commissioners practically agree as to the water division. The gentleman from Arizona [Mr. HAYDEN] wants to engraft onto the compact a condition which I do not believe that Congress would submit to, and that is that a tribute shall be paid to Arizona from the power developed, because the end of the dam rests in the State of Arizona. When we begin to impose upon one State a burden for the benefit of another State we are controvening the spirit of the American Union.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. SMITH. I ask for 10 minutes more.

Mr. DICKINSON of Iowa. I yield to the gentleman 10 minutes more.

Mr. COLTON. There is one point which is vital to the upper States. We maintain that this is a navigable stream and that it will not interfere with the gentleman's argument I am sure he will let me say that we do not concede at any stage that this is a nonnavigable stream.

Mr. SMITH. These are matters which can be thrashed out after the law is passed.

Mr. COLTON. The gentleman stated that it is not a navigable stream.

Mr. SMITH. I am sincere in that; I do not believe that it is. Mr. COLTON has submitted an amendment which the committee will offer to the effect that all permits from the Federal Water Power Commission shall be subject to the terms of the Colorado River compact. There is no objection to this amendment. Indeed, every amendment calculated to perfect the water rights of the upper States has been gladly accepted by the committee.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. SMITH. I will.

Mr. LEATHERWOOD. That could only be true under certain circumstances. The gentleman will concede that as long as any State stays out the lower basin would not be protected against appropriations for agricultural purposes.

Mr. SMITH. We are willing to have the State of Utah write the provisions which would require the Federal Power Commission whenever they give a permit in the lower basin that it shall contain the provision that the water which was allocated to the upper-basin States should not be drawn upon.

Mr. LEATHERWOOD. Mr. Chairman, will the gentleman yield again so that we may have this clear?

Mr. SMITH. Yes.

Mr. LEATHERWOOD. I am talking about agricultural appropriations. It does not make any difference what we write into this bill. So far as the agricultural appropriation of a State that is not bound by the compact is concerned, we are unprotected.

Mr. SMITH. You would not be unprotected if we wrote specifically in the law that the Federal Power Commission shall not allocate waters to the lower States to the detriment of the reservation to the upper-basin States.

Mr. LEATHERWOOD. That would be only for power purposes.

Mr. SMITH. We will provide for agricultural or any other purpose.

Mr. LEATHERWOOD. But the gentleman does not contend that this Congress would have any power over a State, if the State is not a party to the compact.

Mr. SMITH. The Congress would be able to pass legislation which would bind the Federal Power Commission to reserve to the upper-basin States the water that was allocated to them.

Mr. SWING. Mr. Chairman, will the gentleman yield?

Mr. SMITH. Yes.

Mr. SWING. The objection which the gentleman from Utah [Mr. LEATHERWOOD] makes to this bill on the ground that it does not prevent appropriation for agricultural use, is no argument against the bill. That same opportunity would prevail, bill or no bill, merely because Arizona is outside the compact and is physically located so that she could take some of the water; but this bill does discourage that sort of creation of adverse rights because it directs the Government agency not to give rights of way over public lands for canals unless the beneficiaries of those rights of way respect this Colorado River compact. The gentleman's argument is not against the bill, but is against a situation which will be many times worse if the bill is not passed. [Applause.]

Mr. SMITH. Mr. Chairman, the gentleman from Utah pleaded here this afternoon not to have the Government go into the power business, and he attempted to leave upon the minds of the Members here the impression that we are not already in the power business. On one-half of the reclamation projects in the western country, there are power plants constructed, and the proceeds of the power is used to enable the farmer to pay for the construction cost. If it were not for the proceeds from the sale of power on those projects a lot of them could not possibly pay out; so that it is part of the business of the Government in its development of the resources to use these water-power sites in a way which will be for the best interests of the people living in that section of the country. Attention is directed to the following data showing development of power on reclamation projects:

Power plants constructed on reclamation projects

State and project	Name of plant	Station capacity (kilovolt amperes)	First cost of plant	Gross power sales [1]	Net power revenue [2]	Remarks
Arizona:						
Salt River	Roosevelt	10,000	$557,560			Costs and sales cover plants constructed by United States and operated to Nov. 1, 1917. Do not include enlargements or new plants constructed by Salt River Valley Water Users' Association.
	Cross Cut	5,000	480,455	(3)	$998,411.03	
	South Consolidated	2,000	163,140			
	Arizona Falls	1,000	109,500			
Yuma	Siphon Drop	2,000	274,783	$6,074.11	2,649.11	Operation commenced July 26, 1926. Estimated net annual power revenues, $35,000.
Idaho:						
Boise	Black Canyon	10,000	409,800	41,390.00	35,000.00	
	Boise River	1,875	167,905	(3)	157,491.72	
Minidoka	Minidoka	7,000	455,317	1,040,657.85	639,860.90	
	American Falls (2 plants)	1,540	76,975			
Nebraska-Wyoming:						
North Platte	Lingle [4]	1,750	186,693	304,029.45	82,534.52	
	Guernsey	6,000	475,000			Estimated cost. Plant under construction.
Nevada:						
Newlands	Lahontan	1,875	141,866	227,765.95	142,486.23	Leased to Canyon Power Co. for 10 years.
New Mexico-Texas:						
Rio Grande	Elephant Butte	187	8,440	(3)	2,243.33	Plant used for irrigation facilities mainly.
Utah:						
Strawberry Valley	Spanish Fork	1,000	60,725	249,653.22	15,125.07	
Washington:						
Okanogan	Power plant No. 1	187	11,923	1,754.71	952.84	Plants not operated for commercial sales due to water shortage.
	Power plant No. 2	187	13,931			
Yakima	Rocky Ford	187	23,000	(3)	3,635.33	Plant operated for irrigation facilities mainly.
Wyoming:						
Riverton	Pilot Butte	1,000	147,405	19,281.81	4,182.01	
Shoshone	Shoshone	2,000	565,454	41,551.10	15,865.54	
Total			4,329,872		2,092,073.61	

[1] Gross power sales and net power revenues cover sales of surplus power only. Do not include power developed by the plants and used by the United States for construction of irrigation works, pumping for irrigation, and other purposes.

[2] Gross sales not available.

[3] Net power revenues in all cases except Lingle power plant, North Platee project, based upon operating costs only, not including depreciation on plant.

Here is a power site that is all on Government land. It is on an interstate stream. The Government has an interest in this great river which is interstate and international in character. It is a part of the resources of the national Government and it is the duty of the Government to utilize those natural resources in a way that would be for the best interests of the people of the country. If the Government should build this power plant there is no intention to undertake to interfere with the activities of existing water power hydroelectric companies throughout the country. As far as I am concerned, I think it is a good thing for the Government to keep its hand on some of the natural resources of the country, most of which in the eastern section have already passed beyond control, and give the people of the West an opportunity to have the benefits of these

natural resources without having them swallowed up by a great organization which is now attempting to get its hands on every power plant and power site in the country.

Mr. O'CONNOR of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. SMITH. In a moment. Under ordinary conditions I am opposed to the Government doing what private capital can do, but when the Government owns the land and it is so situated that more than one agency could not be engaged in constructing a power plant, it seems to me it is the duty of the Federal Government to construct this power plant, but as I remarked, it is optional with the Secretary of the Interior.

If these gentlemen who are opposed to the Government constructing the power plant will let the bill go through, they can argue the matter out with the Secretary of the Interior, because it is optional with him whether the Government shall build the power plant; but we contend that to close to the Government the opportunity to protect its own resources would not be in the interest of the general welfare of the people of the country. I yield to the gentleman from Louisiana.

Mr. O'CONNOR of Louisiana. Some time since the gentleman from Tennessee [Mr. GARRETT], the minority leader, placed in the CONGRESSIONAL RECORD correspondence between himself and Senator Shields with reference to the powers and activities of the Federal Water Power Commission. The reply of Senator Shields, which is a very interesting legal document, conveys the idea that the Senator believes that the Federal Power Commission act is unconstitutional, illegal, null, and void.

Mr. SMITH. But it has not been so decided by the Supreme Court.

Mr. O'CONNOR of Louisiana. I said that the minority leader thought the matter was so interesting that he placed the correspondence in the RECORD giving the opinion of a celebrated jurist upon that point.

Mr. SMITH. The opinion of the Supreme Court is the one that would be guiding to us, not the opinion of a former Senator.

Mr. McFADDEN. Will the gentleman yield?

Mr. SMITH. I will.

Mr. McFADDEN. If the Government supplies this power plant who is going to dispose of the water?

Mr. SMITH. The Federal Government will control the distribution of water and will sell the power at the switchboard to the various cities, companies, and distributing agencies who wish it.

Mr. McFADDEN. Is there any danger of getting us in the position where we are in reference to Muscle Shoals?

Mr. SMITH. I do not think so, because the Secretary of the Interior is not permitted under the bill to spend a dollar until there are contracts for a sufficient amount by the sale of power and water to reimburse the Government. The Government is spending millions of dollars on flood control. I have figures showing that on the Mississippi River we are spending $10,000,000 a year in flood control, and on the Sacramento River large amounts which will never be returned to the Treasury.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. DICKINISON of Iowa. How much more time does the gentleman desire?

Mr. SMITH. Can the gentleman give me five additional minutes?

Mr. DICKINSON of Iowa. I yield the gentleman five additional minutes.

Mr. MICHENER. Before the gentleman closes will he state just what the primary purpose of this legislation is? The gentleman suggested a while ago one of the primary purposes was to provide drinking water for Los Angeles and attempted to justify that.

Mr. SMITH. The primary purpose is flood control. Irrigation possibilities are provided for. An international situation is handled in a sensible way. A group of cities need an additional supply of domestic water. These cities will have to pump this water to an elevation of 1,200 feet. This will require a large block of power, the sale of which guarantees the financial integrity of the project. Again, as I have said, I think the Government should, as far as it reasonably can, so shape its development as to make it possible for these cities to acquire a domestic water supply. The highest duty of water is for domestic purposes. The people are first entitled to water for drinking and for cooking purposes. That is the highest duty of water. The next duty of water is for irrigation; that is, placing water on land which will result in the raising of foodstuffs which are necessary for consumption. The next purpose is for the development of power to aid in manufacture, heat, and light. Section 6 of the bill recognizes the various uses and their respective priorities as to the waters to be stored in the reservoir; but the primary purpose of this legislation is the control of floods in that section, to protect the people and property in southern California and Arizona.

The next purpose is to develop power to supply the industries and to heat and light houses and to get an income from which the Government can be reimbursed, with interest, on the money expended.

Mr. MICHENER. One question further. Then, as I understand the gentlemen in the beginning it was not for the purpose of creating here by legislation something that would control the floods. It is not the gentleman's contention these other things are incidents?

Mr. SMITH. The bill itself in the beginning provides——

Mr. MICHENER. I am familiar with the bill.

Mr. SMITH. The first line of the bill states the primary object of this legislation.

Mr. MICHENER. But I want to get the gentleman's views. The gentleman stated as a justification the furnishing of drinking water to Los Angeles——

Mr. SMITH. Well——

Mr. MICHENER. If we are going into the business of furnishing drinking water to cities primarily we should not go into it unless that is a mere incident to something else.

Mr. SMITH. The gentleman misunderstands me in reference to that being the prime purpose. The opening statement of the bill is as follows:

> That for the purpose of controlling the floods and regulating the flow of the lower Colorado River, providing for storage and delivery of the water thereof for reclamation of public lands and other beneficial uses within the United States for the generation of electrical energy, as a means of making the projects herein authorized a self-supporting and financially solvent undertaking, the Secretary of the Interior is hereby authorized—

And so forth.

The prime purpose of this bill is to control the floods, and if it were not possible to build the power plant at this time it would be up to the Federal Government to spend from $30,000,000 to $40,000,000 to protect the lives and property of the people.

Mr. NEWTON of Minnesota. The gentleman says the Federal Government will distribute the power at the switchboard. As I understand, the Government is to sell the power at the switchboard for public distribution?

Mr. SMITH. Yes. To sell it to the distributing companies.

Mr. NEWTON of Minnesota. I did not understand that the Federal Government itself was to distribute it from the switchboard.

Mr. SMITH. Oh, no.

Mr. Chairman, in concluding my remarks permit me to say this: The astonishing nature of the claims advanced on behalf of his State, by the gentleman from Utah [Mr. LEATHERWOOD], impel me from a sense of fairness and the spirit of fair play common to our people not to let them pass without further comment.

This is a bill, it should be remembered, for flood control and the protection of irrigation in the lower Colorado, and to settle certain international complications. Power is a by-product from the disposition of which the Federal Treasury is to be reimbursed.

There is nothing extraordinary in this class of legislation. Heretofore, when considering measures of this kind, we have not heard it said that nothing may be done until this State or that interest approves.

Here, because certain water rights would be established through the development, States of the upper division—among which is Utah—urged that certain provisions be inserted in the bill to protect them against the creation of rights that might prove injurious in the future.

Their request was heeded and every amendment to the bill, every protective device, suggested by these States was inserted. A large part of the pending bill is devoted to these. Among these provisions inserted at the insistence of Utah and other upper-division States was one to the effect that six States must have ratified the Colorado River compact before work could be started. Utah and all the upper-basin States at the time had so ratified.

Now, Utah takes advantage of the very provisions she participated in inserting in the bill, withdraws from the six-State compact, and insists that hence nothing can be done. She does not seriously claim her water rights are not protected. She could not very well do this. But she does not like the form of the bill, and particularly the provisions inserted at the insistence of the Secretary of the Interior respecting the way in

which power is to be handled, and says it shall not pass until these are modified.

Fortunately such a position need not be countenanced. If Utah does not wish the protection in respect to her water rights, which was the announced reason for this provision in the bill, by simple amendment she may be left out of the picture. Representatives from other States desiring to save the Colorado River compact and to secure to their States the great benefits of that instrument are urging action. They are unwilling that the plan worked out so carefully and after months and years of consideration be destroyed and set at naught by the action of this one State.

This great and urgently needed development has been delayed many years under the claim that all the States should agree. But when the State of Arizona holds out so as to secure the right to levy a royalty on the power, and another State seeks to take advantage of a provision which was inserted at her own insistence in the bill, the six States' compact, and says nothing can be done until a feature of the development provision authorizing Government to build power plant having nothing to do with the protection of her water rights is changed, the limit of patience and waiting is passed and the time to do something has arrived.

In the course of my remarks the gentleman from Arizona raised a question which calls for further comment. The idea suggested by him is stated in his minority report on House bill 9826, as follows:

AGRICULTURAL COMPETITION FROM MEXICAN IRRIGATED LANDS

From the best available information I am convinced that at least 1,000,000 acres of land in Lower California and Sonora, Mexico, can be irrigated from the Colorado River. At the present time about 200,000 acres are actually under cultivation in that part of Mexico. The remainder of the delta of the Colorado is readily susceptible of reclamation at very reasonable expense and undoubtedly will be promptly brought under irrigation if the flow of the river is regulated and water is thereby made available for use in Mexico.

* * * * * * *

Practically all of the cotton and other crops now grown on the Colorado delta lands in Mexico are shipped into the United States, and this country will continue to be the market for the products of the larger irrigated area.

Mr. Chairman, this statement is calculated to create the impression that the Boulder Canyon development will result in increased cotton acreage to compete with existing acreage.

The exact reverse of this is true and is susceptible to absolute demonstration. Continuance of present conditions means increasing cotton production in Mexico. The Boulder Canyon project means a limitation on this. Cotton production in the Imperial Valley in the United States is negligible and is rapidly decreasing, as experience has demonstrated that Imperial Valley is best suited for the raising of early vegetables and similar specialities, noncompetitive with the stable farm crops.

The physical situation now existing in the lower Colorado River Basin and the irrigation development and tendencies there are clearly stated in the report of the committee on H. R. 9826, as follows:

When the development of Imperial Valley was first conceived, it was thought impossible to undertake the expense of building a canal all in the United States to furnish water to the valley. Hence, advantage was taken of an old river channel and the canal was built, taking water from the Colorado River just above the boundary line, and thence meandering through Mexico for a long distance before returning to the valley. This canal was built in Mexico by a Mexican corporation, under a concession, by the terms of which lands in Mexico were entitled to "one-half of the volume of water passing through the canal." At this early date there was little or no irrigation in Mexico. Since that time irrigation has increased very rapidly in Mexico, much more rapidly of late years than in the Imperial Valley in the United States. This appears from the following table, showing by years the acreage irrigated in the United States and in Mexico from the existing main canal:

Acres irrigated

Year	United States	Mexico	Total
1908	141,030	6,935	147,965
1909	160,470	9,051	169,521
1910	181,191	14,920	160,111
1911	201,782	14,953	216,735
1912	220,511	21,599	242,110
1913	242,036	33,761	275,797
1914	277,232	39,600	316,832
1915	293,534	41,000	334,534
1916	308,009	67,500	375,509

Acres irrigated—Continued

Year	United States	Mexico	Total
1918	367,020	118,530	485,550
1919	413,440	136,580	550,020
1920	414,720	190,000	604,720
1921	410,070	120,000	530,070
1922	413,400	150,000	563,400
1923	415,000	180,000	595,000
1924	413,832	185,022	598,854
1925	[1] 400,000	217,000	617,000

[1] Estimated.

There are approximately 800,000 acres of land in Mexico susceptible of irrigation by gravity from the present main canal.

Already there are more lands being irrigated from this canal than may reliably be cared for by the available water in the river. As said by Mr. M. G. Dowd, chief engineer of the imperial irrigation district, in November, 1925, when testifying before the Senate committee:

"There is no question but that even with the present irrigated acreage in Mexico the area now in crop in the United States is larger than it should be, if losses are to be avoided from water shortages during the low flow of the river. Mexico has been using for several years past more than one-half of the water diverted from the river for beneficial use during July and August. As an example, take those two months for the present year: During July we delivered 144,236 acre-feet to users in Mexico and 117,589 acre-feet to users in the United States; during August the respective amounts were 139,292 and 102,442 acre-feet. With the additional 100,000 acres mentioned above, Mexico will require half the water diverted during longer periods of the low flow of the river, increasing the frequency and length of water shortages. This means that there will be that much less available for the lands in the United States than was the case heretofore during these periods when the acreage across the line was not large enough to demand half the water for any great length of time."

It will be observed from the table inserted above that for the last six years there has been practically no increase in the irrigated areas in the Imperial Valley. In Mexico, however, there has been an increase in the irrigafed acreage of nearly 100 per cent, the acreage mounting from 118,530 acres in 1918 to 217,000 in 1925. Soon there will be another 100,000 acres of land brought under water in Mexico, this being the additional acreage referred to by Mr. Dowd. This spells disaster for ranchers in Imperial Valley.

As well expressed by the Secretary of the Interior in his report to this committee on January 12, 1926:

"The canal now supplies water for the irrigation of over 400,000 acres in California, and irrigators in Mexico at present require water for the irrigation of 200,000 acres. But Mexican irrigators are entitled, under this concession, to double the volume they are now using, or for enough to irrigate as many acres as are now irrigated in California. That is more water than the unregulated flow of the river will now supply. As the Mexican irrigators are on the upper end of the canal, the pinch of scarcity, when it has come in the past or when it may come in the future, falls first on irrigators in the United States, which country supplies the water, all the construction cost, and all the money advanced for operation. It is unfair to California irrigators now and will be even more so after the reservoir is built.

"It is physically possible to irrigate much more than 400,000 acres from this canal in Mexico. If this concession remains in force without any amendment and the canal continues to be used as now, the irrigated area in Mexico will continue to extend. The volume needed to be diverted from the river would be more than the direct flow at the low-water season, and the area irrigated in California would be subject to ruinous uncertainties and loss. If storage is provided, a part of the water for the irrigation of lands in Mexico would, under this concession, have to be supplied from the reservoir, as this canal would be the only means of conveying water to the Imperial Valley, and it can be operated only if the terms of the Mexican concession are complied with."

Mr. Chairman, referring to the table of irrigated acreage, the amount underwent no change in 1926, although in Mexico new land was brought under water and about a like quantity of land theretofore irrigated was not cultivated.

Actual figures thus demonstrate an increasing acreage in Mexico, a stationary or decreasing acreage in the United States. There is every reason to expect and to fear that if nothing is done, as said by the Secretary, "the irrigated area in Mexico will continue to extend."

Actual figures of cotton acreage in Mexico and in Imperial Valley have been procured from 1920 to date. These show that the land irrigated from the river in Mexico is almost exclusively devoted to cotton, while in Imperial Valley cotton raising is gradually being abandoned.

The reason why cotton is raised largely below the border and not in the United States, is that there is available below the border an abundance of cheap Chinese labor.

These figures are:

Cotton acreage in Imperial Valley, United States, and in Mexico

Year	United States	Mexico
1920	126,081	180,500
1921	43,732	114,000
1922	36,440	142,519
1923	64,654	171,000
1924	79,800	170,100
1925	47,200	197,430
1926	32,000	145,300

It is interesting to combine this table with the table of irrigated acreage in Mexico and the United States. Thus:

Year	Land in Imperial Valley		Land in Mexico	
	Total	In cotton	Total	In cotton
1920	414,720	126,081	190,000	180,500
1921	410,000	43,732	120,000	114,000
1922	413,400	36,440	150,000	142,519
1923	415,000	64,654	180,000	171,000
1924	413,832	79,800	185,022	170,000
1925	400,000	47,200	217,000	197,430
1926	400,000	32,000	217,000	145,300

Thus it conclusively appears that a continuance of the present conditions will be conducive to increased cotton production in Mexico, while the Boulder Canyon development will put a stop to this process by placing the United States in a position where it can control and limit water deliveries to these Mexican lands and prevent further increases in cotton acreage. Every year's delay means more land in cotton in Mexico.

Mr. Chairman, the engineers of the Reclamation Service, who have constructed some of the largest dams in the Western States, have been conducting investigations for a number of years of the proposed development of the Colorado River, many of whom have appeared before the committee, and their testimony has been printed and is available. I have just received the following letter from Dr. Elwood Mead, the Commissioner of Reclamation, who has a national and international reputation as a constructing and hydraulic engineer, setting forth his views on the pending bill:

UNITED STATES DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, February 2, 1927.

Hon. ADDISON T. SMITH,
Chairman Committee on Irrigation and Reclamation,
House of Representatives, Washington, D. C.

DEAR MR. SMITH: My long and intimate contact with the farmers of Yuma and Imperial Valleys and my knowledge of their struggle to protect their farms and homes from being destroyed by Colorado River floods leads me to express the hope that early action may be taken in placing the Swing-Johnson bill before the House of Representatives.

The growing menace to the levees which now hold the river out of these valleys has led recently to appeals to this bureau for investigations and advice regarding emergency measures for protection from the floods of next summer. These valleys have been visited and reports made within the last two or three months by Colonel Jackson, of the United States Engineer Corps; by R. M. Priest, engineer, United States Reclamation Bureau; and Prof. Frank Adams, of the University of California. They are in agreement that the Imperial Valley is menaced by a disaster of dramatic proportions.

All agree that a reservoir large enough to hold back floods and increase the low-water flow is an imperative necessity. Levees are a temporary makeshift. The river runs along the rim of the Imperial Valley Basin. It is building up its channel through the deposit of the 100,000 acre-feet of silt carried down yearly by its sediment-laden waters. This means that levees must be raised higher and higher, with greater costs to maintain and increasing danger of failure. A break at a critical point may easily cause the loss of all that has been built up by 20 years of sacrifice and arduous effort. Only less serious is the recurring danger of drought during August and September. The loss of crops in one year has reached the staggering total of $6,000,000.

There is no reason why the Nation should not favor early action on this measure. Its provision for entire repayment of the cost relieves the general taxpayer of any financial burden, present or prospective. The stupendous dam will regulate the river. The all-American canal to carry the water to Imperial Valley will end a vexatious and costly conflict with Mexico over international water rights.

The Government has been drawn into this great enterprise because no private company has offered to assume the risk and incur the expense of building the dam and related irrigation works, and no private company could adequately deal with interstate and international water rights, provide domestic water for the needs of cities, protect the rights of existing irrigators and construct works for the irrigation of new areas. These complex factors make this a national enterprise in the truest sense.

It is fortunate, therefore, that building the dam creates great power possibilities. Without the revenue to be obtained from the sale of power at the switchboard, or the lease of the power privilege, this project would entail a burden of many millions of dollars on the taxpayers of the whole country. The power possibilities ought to be utilized and the revenue therefrom ought to be used to help pay for the works. The bill is so drawn that contracts to furnish the needed revenue must be signed before construction begins. It is a unique, safe, soivent, businesslike scheme.

The act is so drawn that the Secretary of the Interior is not required to build the power plant. He can lease the power privilege to private companies or municipalities who would erect their generating works, or he can build a power house and lease it with the water to those who would install electric machinery. These alternatives for dealing with the power opportunity are necessary in order to enable the Secretary to bargain to advantage. If he is deprived of authority to invite alternative proposals I am convinced that competition will be restricted and the result will be an unworkable measure because of lack of revenue.

While the bill as drawn embodies the Colorado River compact and is conditioned on ratification by six States of that compact, such condition is not essential to the accomplishment of the purposes of the bill. If these States do not desire to ratify, it is entirely within the power of Congress to provide for the protection of the upper States by subjecting this development to the terms of the compact, in so far as it gives to those States the prior right to 7,500,000 acre-feet of water each year.

If these works are built, I favor such reservations of power to the different States of the lower basin as will assure them of cheap power for the development of their industries, but I am not in favor of power reservations that will enable them to levy toll on revenue due the Government and needed to repay construction costs. Until the entire investment of the Government has been repaid all the revenue, whether from power sold at the switchboard of a Government plant or from water leases to private works, should go to the Federal Government. After that has been done, then the Government may properly consider who should be the beneficiaries of profits from the operation of these works; but an attempt to allocate now any part of the revenue from irrigation, sale of water for domestic purposes, or from power to anyone outside of the Government will, I fear, make financing the enterprise impossible.

If this bill is brought before the House, its discussion will educate the public as to the urgent necessities of the imperiled sections of the Southwest and as to the economic value of the latent resources which it will bring into use.

Sincerely yours,

ELWOOD MEAD,
Commissioner.

In regard to the importance and urgency of this legislation I desire to direct attention to a public statement made on February 27, 1926, by Hon. Herbert Hoover, Secretary of Commerce, and generally published in the press, as follows:

The legislation which will secure the great works on the Colorado is urgent for three imperative reasons:

First. The steadily increasing menace of irreparable flood damage to the lower valleys of California and Arizona.

Second. The necessity of the Los Angeles section to reinforce its domestic water supply, which implies development of great power to pump this water into southern California.

Third. The urgent need for protection of our international rights.

The legislation is unique in that it imposes no burden on the Federal Government except the loan of the necessary credit.

No work is to be undertaken until the contracts and guarantees, which amply cover the return of all funds, have been entered into.

No such proposal has ever been put up from the West before, and in itself indicates the anxiety of the Southwest; for usually the Federal Government has provided at least flood control at national expense.

The forms of legislative proposals are never perfect at the start. It can never entirely suit every interest.

There must be some bending in compromise if we are to get forward in any subject, and I can not but feel that the major issues are being overlooked in the apprehension over secondary questions by the sister States in the Colorado Basin.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. DICKINSON of Iowa. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TINCHER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 16863) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes, had come to no resolution thereon.

ADDRESS OF MR. FRED STEWART, OF GOODLAND, KANS., ON CONDITION OF AGRICULTURE

Mr. WHITE of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a short statement from Mr. Fred Stewart, of Goodland, Kans., on the subject of agriculture.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

Mr. WHITE of Kansas. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address by Mr. Fred Stewart, a Sherman County, Kans., rancher, published in the Goodland (Kans.) News-Republic of December 16, 1926:

FARMERS MUST WORK OUT THEIR OWN SALVATION, SAYS STEWART IN ADDRESS

The following address was given by Fred Stewart, Sherman County rancher, at the annual farm bureau meeting Wednesday of last week. Mr. Stewart's talk created such a favorable impression at the meeting that the News-Republic obtained his permission to reproduce it in full. It follows:

"Mr. President, ladies, and gentlemen, as members of the farm bureau we are vitally interested in the welfare of agriculture; we are justified in that vital interest, for we are farmers.

"I believe I am safe in making the statement that we are all more or less dissatisfied with farming conditions, and that we are justified in that dissatisfaction, for agriculture has participated very little, if at all, in our much-talked-of national prosperity. Government statisticians tell us that, compared with pre-war values the dollar of labor and capital is from 20 to 60 per cent above par, while the dollar of agriculture is from 20 to 40 per cent below par, with the annual average income of farm operators something less than $500.

"We are concerned, and rightly so, in this disparity, and we can not hold to our self-respect if we suffer this condition to continue unchallenged.

"Others are concerned. Labor and capital realize that their dollar can not be long held at its present level if agriculture's dollar is not brought to a parity with their own; that they can not continue to enjoy prosperity unless agriculture participates in that prosperity.

"There are those who advocate measures tending to deprive labor and capital of their hard-won positions through lower wages and less profits. History records no instance whereby one class or interest was ever benefited by dragging down another class or interest. It will be remembered that Samson gained nothing by pulling down the temple upon his enemies. While he brought death to them he likewise perished. It might be possible for agriculture to combine with some political faction and force legislative action that would have a depressing influence upon labor and capital, but to do so would be economic suicide. To illustrate: Practically all of us are in debt; these debts were largely contracted during the high-price levels of or following the World War. Let us say that we borrowed $5,000 when wheat was selling at $2 per bushel. Twenty-five hundred bushels of wheat at that price would have liquidated our debt. But at present prices it would require nearly 5,000 bushels. In one sense our debt has doubled, and our salvation rests, not in a lower price level, but in the return to a higher one.

"Government is also concerned. In the last session of Congress there were several bills under discussion the aims of which were to remedy the ill of agriculture, but fortunately, perhaps, none were enacted into law.

"All of you, no doubt, have had at some time a cow get down, either from lack of proper feed, accident, or illness. When we get an animal in that condition we tail her up. It has been my experience, which I believe is not unusual, that when we find an animal in that condition who either can not or will not help itself, the best method of procedure is to get the ax and assist nature in taking her course, for that cow will never get up under her own power.

"There are those who would tail up agriculture by lowering freight rates. It has been stated so often that the farmer not only pays the freight on that which he buys but on that which he sells as well, that we have almost come to believe it; and yet nothing is farther from the truth. If the railroads were to carry our products to market free of charge, we would not benefit a penny other than as consumers. For it is the consumer that pays all charges, which includes the freight.

"In the early statehood days of Oklahoma, the corporation commission acting with the corporation commission of Texas arbitrarily lowered the freight rate on wheat from common Oklahoma and Texas points to Galveston by 3 cents per bushel. Figures were published showing that that action would put several millions of dollars into the pockets of the farmers of these two States. The rate went into effect, but the farmer did not get the 3 cents per bushel that he was led to expect. I had a friend who operated an elevator, and one day while in his office I told him I thought it mean of him to hold out this 3 cents on the needy farmer. He denied he had it. I then said, the export elevators must have it. There was a representative of one of these export elevator companies in the office at the time, and he said that they did not have the 3 cents. 'Then, who has it?' I asked; and he answered: 'The ultimate consumer, who in this instance happens to be the people of Europe, has that 3 cents. The corporation commissions of Oklahoma and Texas have reduced the freight charges 3 cents on every bushel of wheat carried by the railroads of these two States.'

"Reducing freight charges will never put agriculture on its feet.

"Others would tail up agriculture by loaning it more money. I am sure that agriculture is more interested in getting rid of the old mortgage than in contracting a new one. That remedy will not work.

"Some advocate cooperative marketing as a remedial measure. That has been tried, and except in a few isolated cases, has proven a failure. The citrus fruits associations, the tobacco pool, the wheat pool are all flopping or about to flop. With efficient marketing machinery already in existence, why throw additional overhead on agriculture by adding more.

"Cooperative marketing will never enrich agriculture.

"We have others who would do away with boards of trade and make future buying and selling illegal. How foolish! Farmers should be the best patrons of the wheat pit, not as speculators, but as producers stabilizing the prices of their products from season to season.

"Other would-be economists would have the Government buy the surplus. If the Government starts in buying the surpluses it will be doing some business. No system of subsidy will ever be popular or practical in this country. It is a bad idea, and one which agriculture has always fought, and for a good reason—no other industry, in the end, would ever suffer so much from its general adoption.

"If these suggestions, and they comprise practically all that have been brought forward to remedy the ills of agriculture, are not workable, perhaps you think that agriculture's condition is hopeless. Not at all.

"It is said that God helps those who help themselves. There is a remedy at hand, at practically no cost. We have a national, State, and county farm bureau, with a full corps of officers and county agents who are willing to give every assistance to any movement tending to improve agricultural conditions. The Department of Agriculture, Federal and State, maintains a bureau of statistics, and sends out free of charge the findings of these bureaus. To-day you may know the very probable amount of next year's wheat crop, the tonnage of beef and pork, how many bushels of corn and bales of cotton that will go to market before the year ends. You may know, approximately, what price these products will bring on the market, whether the demand will exceed the supply or the supply exceed the demand. The law of averages, in a country of so great an extent as this, works nearly perfect.

"With this information, free of charge at hand, and with a working organization already in existence, the farmers of this country can by becoming members of the Farm Bureau and working in harmony, within 12 months' time become masters of their own destiny, captains of their own souls. They can do it by letting the Farm Bureau use an adding machine and estimating the acreage necessary to produce the food to meet the demands of our home market and acting in accordance with those estimates. They can do it by working eight hours a day. By their own initiative, without the help of Congress, they can bring their now depreciated dollar to a parity with any dollar on earth. None others can do this for them. They must help themselves to their feet. They must work together for the good of themselves, asking only justice, and granting justice to those in all other callings.

"They must cease producing unwieldly surpluses. Last year it was the Corn Belt that was calling for help; this year it is the Cotton Belt; next year it may be the Wheat Belt bankrupting themselves by overproduction and failing to learn in the bitter school of experience. These recurring periods of overproduction can be avoided only through thorough organization, and no organization could be any better than the one we have now—the farm bureau. Organization alone will not help, there must also be 100 per cent loyalty.

"Labor and capital went through the reconstruction days following the World War on their own power and came out stronger than ever. Agriculture can do the same if it will. If it will not, it is not worth saving, and should give way to some more worthy system. If agriculture will not help itself to get on its feet some one should be sent for the ax and nature assisted in taking its proper and accepted course.

"We, who practice agriculture, have ever been prone to wait for Congress, or some other agency, to heal our ills; have ever expected someone else to do our thinking for us; to look after our interests; to get us on our feet after we are down, and we have been down about 50 per cent of the time in the past 50 years. It has never worked very well in the past, and I believe it will work even less in the future.

"I have a friend in Oklahoma, Bill Kuder by name, a lumberman by profession. Bill was an easy flesher and at the time would have tipped the scales at better than 200. This was a long time ago, when the ladies wore 'em long and the opportunity to get an eye full was limited to windy days, and even then the wind that ruffled the skirts above the ankles more often than not filled the bad man's eye with dust. One day I found Bill working a gang of men back of his lumberyard and stopped and asked what it was all about. Bill said that he was going to reduce by playing tennis, and that he was building a court. A few days later I dropped around to watch Bill reduce. When I arrived I found him sitting on a bench on the shady side of the court watching four of the prettiest girls in town skipping about after the elusive ball. I was a little overweight myself at the time, so I sat down by the side of Bill to reduce. We kept at it for several weeks and then weighed up heavier than ever. It was pleasant exercise but not the kind that reduced the belt line.

"If farmers want to be prosperous, want to get a decent return for their labor and investment, they can do it by helping themselves and no one can help them but themselves. They must play the game, not sit on the side lines."

PRESIDENT'S MESSAGE—CLAIM OF EDWIN TUCKER (S. DOC. NO. 202)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State, concerning a claim against the United States, presented by the Government of Great Britain for compensation to the relatives of Edwin Tucker, a British subject who was killed by a United States Army ambulance in Colon, Panama, on or about December 6, 1924. The report requests that the recommendation as indicated therein be adopted and that the Congress authorize the appropriation of the sum necessary to compensate the claimants in this case.

I recommend that in order to effect a settlement of the claim in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace and without reference to the legal liability of the United States in the premises, authorize an appropriation of twenty-five hundred dollars ($2,500).

CALVIN COOLIDGE.

THE WHITE HOUSE,
Washington, February 5, 1927.

PRESIDENT'S MESSAGE—ECONOMIC CONFERENCE AT GENEVA (S. DOC. NO. 201)

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

The Government of the United States has been invited by the Council of the League of Nations to take part in the appointment of members of the economic conference which will meet at Geneva, Switzerland, on May 4, 1927. I transmit herewith a copy of the invitation dated December 22, 1926, together with a copy of Document C. E. I. 6 containing the report of November 19, 1926, made by the preparatory committee and the text of the resolution of the council of December 9, 1926. The agenda of the conference are annexed to the report of the preparatory committee.

The first part of the agenda relates to "The World Economic Position," and the second part to specified problems in the fields of "Commerce," "Industry," and "Agriculture."

The nature of the conference is indicated in the following statement from the report adopted by the Council of the League of Nations on March 17, 1926, as quoted in the report of the preparatory committee:

The conference is not to be composed of responsible delegates invested with full powers for the conclusion of conventions; it is intended, rather, to organize a general consultation, in the course of which, as at the financial conference at Brussels, the various programs and doctrines may be freely exposed without the freedom of discussion being restricted by any immediate necessity to transform the conclusions of the conference into international engagements.

The invitation specifies that each country is to appoint not more than five members. These members "will not in any way bind their Governments and will not be qualified to act as spokesmen of an official policy." The members may be accompanied by experts, who may attend the meetings, but without the right to speak or vote except with the special permission of the conference.

I consider it important that the Government of the United States participate in the appointment of members of this conference, not only in order that this Government may be adequately informed of discussions in their relation to American interests, but also in order that the American point of view may be duly presented and in the hope of contributing to the development of sound economic foundations of friendly intercourse and prosperity. The United States is taking its part in study of the problem of arms limitation at the invitation of the League of Nations. This country should also stand ready to aid in the study of means to promote economic progress.

This is not the occasion to discuss specific problems outlined in the agenda. It is sufficient to note that the conference contemplates an inquiry into important problems affecting American interests. This Government will have the benefit of its deliberations but will not be bound by its results.

In order to defray expenses pertaining to American participation in the appointment of members of the economic conference, I recommend that there be authorized to be appropriated the sum of $15,000, to be expended in the discretion of the Executive. In view of the prices prevailing at Geneva, it is important that expenditures for subsistence be exempted from the limitations imposed by existing law.

CALVIN COOLIDGE.

THE WHITE HOUSE,
Washington, D. C., February 5, 1927.

BOULDER DAM PROJECT

Mr. SWING. Mr. Speaker, I ask unanimous consent to extend my remarks on the Boulder dam.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. SWING. Mr. Speaker, under the privilege extended me by the House I am inserting my statement made to the Rules Committee of the House on January 22, 1927. In these remarks I fully discuss the attitude of Arizona and Utah toward the Boulder dam legislation, and undertake to show that their objections are without a sound basis in fact and should not be permitted to hold up this urgently needed project.

The statement is as follows:

The Boulder dam project has for six years been between the upper and the nether millstones, represented by two very able and persuasive Members of Congress. The upper millstone is the gentleman from Utah [Mr. LEATHERWOOD]; the nether millstone has been the gentleman from Arizona [Mr. HAYDEN]. They have protested the project and fought it at every stage of the game, and, I think, in the language of the lawyer, their presentations here might be described as a general and specific denial on all points.

It is easy, as to anything conceived by the mind of man, to criticize. It is easy to throw out questions and doubts, and because you may not be able to think at the moment of an answer, to conclude that there is no answer, and, therefore, that it is open to that criticism.

This great undertaking (because it is a great undertaking) has not been hastily conceived. It has been the result of years of study. The year before I came to Congress, by the Kinkaid Act passed in May, 1920, the Interior Department was given a mandate by Congress to undertake a study of the problems of the lower Colorado River, and to solve those problems they found it necessary to make a study of the whole Colorado River. There was appropriated $20,000 at that time, and in the next year Congress, in its appropriation for the Interior Department, appropriated $100,000 to continue the studies. Local communities advanced money to a total of about $185,000; Arizona some, the Imperial Valley some, various cities who needed domestic water, some; all of which, together with the Government appropriation, has been expended in this.

The year following that $100,000 more was appropriated by Congress to continue the study further, and after that, to close it up and to make their entire studies available, $20,000 in the succeeding appropriation for the Department of the Interior. Under Mr. Arthur P. Davis there was compiled and published what is generally known as Senate Document No. 142, Sixty-seventh Congress. It was published in 1922, containing investigations and conclusions and recommendations of the Department of the Interior, which were sent down to Congress by the Secretary of the Interior with the recommendation that they enact those recommendations into law.

Mr. Davis subsequently left the service and Mr. F. E. Weymouth, builder of the Arrowrock Dam, the highest dam that has ever been built, and a number of other dams, including the Lower Yellowstone, the Boise, the Minidoka, and the Jackson Lake Dams, became chief

engineer of the Reclamation Service. He went all over the problem anew and he called together in Denver a consulting board, after he had concluded his investigations, consisting of the greatest engineers of the West. In addition to such well-known Reclamation Service engineers as Savage, Gaylord, Dibble, and Debler, there was called in Ransome, Jenison, and Homer Hamlin to pass upon the site and A. J. Wiley, Louis Hill, and James Munn to pass on plans and cost estimates.

The CHAIRMAN. Did Mr. Weymouth build the Roosevelt Dam?

Mr. SWING. No. He built the Arrowrock Dam.

Mr. SMITH. That is the highest dam in the United States.

The CHAIRMAN. How high is that dam?

Mr. SMITH. Three hundred and forty-eight feet.

Mr. SWING. They investigated all of the recommendations, including the unit price. That report came in to the Secretary of the Interior. He felt that in an undertaking of this magnitude he should have the best obtainable engineering advice the Government could offer, whereupon he convened an engineering board of his own, consisting of Col. Spense Cosby, from the War Department; Col. William Kelly, from the Federal Water Power Commission; Mr. Herman Stabler, from the Geological Survey; and F. E. Weymouth, E. B. Debler, and Walker R. Young, from Reclamation Service. They re-reviewed what had already been reviewed, and after their recommendations had been presented to the Secretary of the Interior this bill was drawn containing an embodiment of the Government experts' recommendations as to what the Government should do to solve the problems of the lower Colorado.

The CHAIRMAN. Let me ask you do you understand that they have drawn definite plans to such an extent that they can really figure the cost of this dam?

Mr. SWING. Absolutely. It is here compiled, with unit costs of production plans and specifications.

The CHAIRMAN. Complete specifications on the whole works?

Mr. SWING. Absolutely; and before they did that they had the United States Geological Survey with their two best men go out there and spend a month going up and down the site studying the rock formation of the canyon walls. They took diamond-test borings on these sites. They studied and examined everything. It was not a bird's-eye view. They went to the bottom of it. They located limestone deposits from which they could make their own cement, if necessary. They studied out the question of the location of a railroad to connect up the site and to put their machinery and material in there at the cheapest cost. It has all been gone into most definitely and most carefully.

The CHAIRMAN. How long a railroad would they have to build?

Mr. SWING. They have two tentative plans, one from Arizona and one from Las Vegas, Nev., which is the shortest distance, about 28 miles.

While flood is the great problem, it is not the only one. Let me read to you some of the problems this project must solve. I read from section 6 of the bill:

"The dam and reservoir provided for by section 1 hereof shall be used, first, for river regulation and flood control."

The flood problem is well understood. As to river regulation, there is nowhere any denial that the river is navigable. In the majority report it recognizes that this work will improve navigation. Above the dam for a hundred miles it will make the water navigable, and by regulating the flow below it will make the river navigable between that dam and the Laguna Dam. It is not necessary for the river to be navigable to the sea in order to be held navigable. That is a matter for Congress, in its wisdom, to determine.

The CHAIRMAN. As a matter of real fact, is that a question in connection with this whole project?

Mr. SWING. When we come to discuss the rights of States, we are discussing legal rights, and the rights of the United States might turn on whether the river was navigable, and on that phase of it there is no dispute, as far as I can see, because the report of Mr. Hayden says it is navigable. We admit it will improve navigation, and the bill provides that one of its purposes is for stream regulation.

Mr. GARRETT. The courts have gone no further on the question of navigation than to deal with the natural stage, have they?

Mr. SWING. That is true, but there has been commercial navigation on the river. It may be to some extent restored by this project.

The CHAIRMAN. There is no commercial navigation at present?

Mr. SWING. Not now. There has been.

Mr. RANSLEY. There is a treaty existing between Mexico and the United States in reference to the river being navigable?

Mr. SWING. It provides that nothing shall be done by either party to interfere with navigation by United States citizens and American boats.

Mr. GARRETT. That is all there is in that treaty, what you have just quoted?

Mr. SWING. The exact language I will quote from Article IV of the treaty of 1853:

"The vessels and citizens of the United States shall in all time have free and uninterrupted passage through the Gulf of California to and from their possessions situated north of the boundary line of the two countries. It being understood that this passage is to be by navigating the Gulf of California and the River Colorado, and not by land, without the express consent of the Mexican Government, and precisely the same provisions, stipulations, and restrictions in all respects are hereby agreed upon and adopted and shall be scrupulously observed and enforced by the two contracting Governments in reference to the Rio Colorado, so far and for such distance as the middle of that river is made their common boundary line by the first article of this treaty."

"Second, for irrigation." It does not bring under cultivation new land, but it does stabilize the supply to existing communities and make possible at a future date, when Congress is ready, additional reclamation.

"And domestic uses." The Pacific coast cities, to the extent of about a dozen, are now at work, cooperating to build an aqueduct to this river to bring to those cities additional domestic water which is vitally needed. It is most ridiculous to have anyone say to this committee that those cities which have already spent nearly $2,000,000 with preliminary surveys and the beginning of actual work, are doing it as a bluff in order to get Congress to pass this legislation, or to cheapen the value of some water rights some place else which they really intend to buy. They are doing it because they have exhausted all local resources, including the subterranean water, which is rapidly failing, and have found that it is impossible for them to get an adequate supply of domestic water from any other source.

"And satisfaction of present perfected rights in pursuance of Article VIII of said Colorado River compact."

There is a Pandora box closed by this compact which may open a flood of litigation, the like of which has never been seen in any part of the United States, over water rights, which may keep the Supreme Court of the United States busy for the next 100 years and hold back development in all of these States unless in some way these rights are settled.

Mr. GARRETT. Does this bill actually settle those rights?

Mr. SWING. Yes. This bill has worked out an adjustment which no one has complained of, not even the gentleman from Arizona, as to the merits or justice of it. This bill puts that compact into effect as to those States which have ratified it.

"And third, for power." The bill does not refer to another obligation, because it is not now existent, and it was not thought wise to specifically refer to it, but this country, as sure as we are here, is going to have to assume some kind of an obligation to deliver some amount of water (and I hope it will be small) to Mexico, because in all treaties that we have negotiated in the past we have, as a matter of comity with other nations, accorded them some water where they have been putting it to beneficial use. Where can the United States get that water to supply such treaty obligation unless it owns and controls the dam from which it can discharge the water?

Now, I want to take up, because it is seriously pressed here, the objections made by two great States. How can the passage of the Swing-Johnson bill, as it is called, possibly injure the State of Utah? If this great dam is built, a condition precedent to the expenditure of $1 on it is that the State of California must ratify, unconditionally, the Colorado River compact. Now, it becomes immaterial what California did at some previous legislature. They must ratify, anew and unconditionally, and this dam when built must be under the control of the provisions and limitations of the Colorado River compact. Regarding that there can be no question whatever.

The CHAIRMAN. Up to this date California has not ratified it unconditionally?

Mr. SWING. California did unconditionally ratify the seven-State compact, but when she was asked by the upper-basin States to ratify the six-State compact we found that the assumption of responsibility under the six-State compact was a great deal different from the assumption of responsibility under the seven-State compact. The compact divides the water into groups, and it is a group obligation, one basin to the other; not the individual State of California to any other State. With Arizona staying out, California was underwriting the good conduct of the entire lower-basin group. That meant that we would have to let Arizona have all the water they could possibly use, because if Arizona was restricted as to the extent to which she could use water, she, while staying out of the compact, could enjoin some project in an upper-basin State and that would be a violation of our contract to stand back of the upper-basin States in their right to use up to 7,500,000 acre-feet a year under the compact.

The CHAIRMAN. Then, as I understand it, this reservation in California simply makes provision for water for the lower-basin States?

Mr. SWING. Yes. Under the Colorado River compact the upper-basin States can hold back all of the water in any one year. We have vested water rights now in the lower-basin States approximating nearly 5,000,000 acre-feet.

Mr. GARRETT. You do not mean to say that California has unconditionally ratified it?

Mr. SWING. California did unconditionally ratify it, and then subsequently made it conditioned.

Mr. GARRETT. It repealed it?

Mr. SWING. Yes. It stands now on the conditional ratification that if it has to give up its vested water rights to the upper-basin States, which it is willing to do if it is supplied with storage water, because

water is water, whether it comes out of a reservoir or out of the flow of the stream. In the interests of peace on the river, all it asks is that it be afforded storage to take the place of its present rights in and to the natural flow of the river. So, the construction of this dam can not possibly interfere with the rights of Utah under the Colorado River compact, because the terms of the Colorado River compact cover this project by express declaration. And, in addition to that, all contracts to be made by the Secretary of the Interior for the beneficial use of either water or power out of this project, are to be governed by the restrictions and limitations of the compact which are put into the contracts, and those same restrictions and limitations must go into every contract, and the beneficiary of the contract must recognize the superior right of the upper-basin States to that extent.

It is therefore impossible that there could be a million acres in Utah or in all the rest of the upper States, left desert by reason of this bill, unless it would be left desert by the terms of the Colorado River compact.

Mr. GARRETT. Now, the act of the California Legislature, in which the condition was imposed, as found on page 3 of Mr. LEATHERWOOD'S minority report, uses this expression:

"That the provisions of the first paragraph of article 11 of the said Colorado River compact, making said compact binding and obligatory when it shall have been approved by the legislature of each of the signatory States, are hereby waived, and said compact shall become binding and obligatory upon the State of California when by act or resolution of their respective legislatures at least six of the signatory States, which have approved or which may hereafter approve said contract, shall consent to such waiver and the Congress of the United States shall have given its consent and approval: *Provided, however,* That said Colorado River compact shall not be binding or obligatory upon the State of California by this or any formal approval thereof."

So the act prior to this was unqualifiedly ratified?

Mr. SWING. Absolutely. Yes, sir. There is no question about that.

The CHAIRMAN. I do not understand the reservation of that proviso, if it is unqualified.

Mr. GARRETT. There was a former act that unqualifiedly ratified it.

Mr. SWING. And then when Arizona did not ratify it, we ratified conditionally upon Congress authorizing Boulder dam. The whole thing is immaterial, because this bill absolutely compels California to reratify, unconditionally, before a stone can be turned.

The CHAIRMAN. Does it also compel Utah to come in, or some other State, before anything can be done?

Mr. SWING. As the bill now stands, it requires six States to ratify. We think Utah will reenter the compact. If she does not, this bill may have to be amended. The Governor of California has stated that within 24 hours after this bill is passed they will reratify the compact.

Mr. MICHENER. Assuming that he should not, then what?

Mr. SWING. Then there is no project, and Utah is not hurt in any particular, because there is not a stone put in the river.

Mr. MICHENER. In other words, we passed this bill, and if the Legislature of California at that time does not see fit to ratify it, then all we have gone through with here means nothing?

Mr. SWING. If you pass this bill and the Secretary of the Interior sees fit not to do anything, it has all gone for nothing.

Mr. MICHENER. But the bill places certain discretion intentionally in the hands of the Secretary of the Interior, but I am quite sure that the bill does not intentionally, or I do not understand that there is any desire to give the State of California any particular option——

Mr. SWING. None at all.

Mr. MICHENER. To accept or refuse what we have tendered.

Mr. SWING. That is true. There is no option at all. It must ratify unconditionally, and it will do so.

Mr. LEATHERWOOD complains that there is a possibility that the State of Arizona, without ratifying the compact, may go along the river and initiate some water rights on its side. Is that an argument against this bill? If they can do it after the bill is passed, they can do it if the bill is not passed. It is not because of the bill but because of the physical location of the State with reference to the river, and because they have not ratified the compact. It has nothing whatever to do with the project or with the bill, but as a matter of fact, the authorization of this project is a guaranty that no large undertaking will be started for the acquisition of adverse water rights in Arizona, without its ratifying the compact, because you have, for the time being, 10 or 15 or 20 years, possibly, preempted the markets. It is not likely that after having built this dam, any other large undertaking would be started for some considerable time to come.

As a matter of fact, the upper States have put into this bill, that the United States Government will not assist Arizona in initiating rights which are injurious to upper-basin States, by giving them rights of way for canals and transmission lines, in violation of the terms of this friendly agreement that has been negotiated between all parties.

Mr. RAMSEYER. Do you mean the compact?

Mr. SWING. Yes. Now, what are these terms that are in the bill? The best minds of the upper-basin States worked out their own protective measures, and at their request we put them in the bill in good faith, with the understanding that they would not longer object to the passage of the bill.

Mr. Hopkins, an official representative on the Colorado River commission from Wyoming, in testifying before the committee said (p. 96 of hearings):

"Mr. Carpenter, of Colorado, was here and I think was before your committee two or three weeks ago. He held several conferences with those persons who are pressing what I know as the Swing-Johnson bill, which, I understand, has been introduced in a new form by the chairman of your committee.

"Mr. Carpenter returned to Colorado, bringing with him several suggested amendments to this bill. He then called the commissioners of Utah, New Mexico, Wyoming, and Colorado together for the purpose of discussing those proposed amendments. We met in Denver a couple of weeks ago and went rather carefully into those suggested amendments.

"Mr. LEATHERWOOD. Who were present?

"Mr. HOPKINS. Mr. Wilson, attorney general of New Mexico; Mr. Carpenter, of Colorado; and I represented Wyoming. Mr. Wallace, the commissioner for Utah, was notified of the meeting, and he wrote that he could not be present. However, he stated that he had read the amendments, and he submitted some suggestions in writing.

"After considerable discussion of those amendments the conference at Denver agreed upon certain proposed amendments."

They were about 20 in number, which he then presented to the committee.

Later Mr. Carpenter arose and testified. He said:

"The amendments in question were agreed to after much deliberation and a great deal of discussion (p. 120).

"These amendments proposed are purely upper-State amendments (p. 121).

"Mr. TAYLOR. If these amendments are agreed to and inserted, the upper States are perfectly willing that construction work may proceed at once?

"Mr. CARPENTER. They will not object (p. 130).

* * * * * * *

"Mr. CARPENTER. I believe I am correct in saying that it is the thought of our States that no impediment shall be placed in the way of just progress in the matter. Were that not their attitude, we would not be here except to oppose the measure" (p. 132).

Again he said:

"In view of the physical peril threatening the lower-river country, we do not object to the present line or procedure if adequate measures are taken to protect our interests by ratification of the Colorado River compact by the State of California and the United States, prior to any overt act upon which adverse claims might later be predicated" (p. 147).

Mr. Bannister, also from Denver, testified a little later:

"Referring to the bill as thus amended, there are reasons leading me to support it. Some of these reasons are simply appealing reasons, but others, I think, are absolutely compulsory" (p. 67).

The mayor of Denver wired the chairman of the committee as follows:

"Now, that the proponents of the Swing-Johnson bill for the construction of the Boulder Canyon project have accepted the protective provisions of the upper States, as drawn by the upper States themselves, it is of vital importance to Denver that the bill be passed as a solution to a very material extent of the interstate controversy over the Colorado River. Were Denver not to bespeak prompt action, it would be blind to its own interests as a city in the upper States. The issue is serious" (p. 281).

These amendments were submitted to Mr. Leatherwood, and, after considering them, he made one suggestion or criticism, and at his suggestion, an amendment was adopted to section 4–a, as follows:

"And no water rights shall be claimed or initiated hereunder and no steps shall be taken by the United States or by others to initiate or perfect any claims to the use of water * * * until California shall have unconditionally ratified," * * *.

That was put in.

I might say there was another amendment suggested by Utah, and it was that out of this money which the lower-basin States are borrowing, and for which they gave their promise to repay, and which they sign a contract to return principal and 4 per cent interest, out of that should be taken a quarter of a million dollars and diverted to investigate upper-river conditions, without any cost to them, and we also accepted that Utah amendment.

Now, the truth is that the upper States do not fear Arizona with the provisions that are included in this bill. It is California they fear; and, as I have pointed out, California is surrounded and restricted by these ironclad limitations, including the compact itself.

The CHAIRMAN. While you are discussing the question of amendments—yesterday or the day before you asked Mr. LEATHERWOOD if he would agree to certain amendments that might be proposed. Are you going to discuss that?

Mr. SWING. I am coming to that presently.

Mr. Carpenter testified as follows:

"We have no fear of the ultimate action of the people of Arizona. Had we, we would not have passed the measure to make the Colorado River compact effective between the six States which had ratified in 1923, without awaiting or prejudicing action by Arizona. * * *

"I make this statement because I personally appeared before each of the committees of the legislatures of the four upper States and of Nevada" (p. 130).

If there was any representation made to Utah for them to come in, as they say, it must have been by Mr. Carpenter. He says they are not afraid of Arizona.

I have before me an extract from the Desert News, published in Utah, with reference to this matter, which I want read. It is the report of a committee appointed by Governor Dern:

"If the six-State pact is repealed by Utah and the Swing-Johnson bill is made inoperative, it is rumored on good authority the Federal Power Commission will reopen the river, in which event it would be necessary for Utah and Arizona to commence litigation to protect its rights, Governor Dern's advisory committee was told yesterday afternoon in a report submitted by a subcommittee headed by Lloyd Garrison, former State engineer.

"Other members of the subcommittee are W. W. Ray and A. B. Irvine, president of the State senate.

"The only recourse the upper States will have against Arizona and Nevada is that outlined in the Colorado-Wyoming case. They will, however, have recourse against California under the Kansas-Colorado case.

"If the six-State compact and the Swing-Johnson bill were in effect, California and Nevada would be precluded from entering into an agreement with Arizona contrary thereto, nor could citizens of California appropriate water in the river without the consent of California, Nevada, or the Federal Government.

"In conclusion, I must say that it now appears to me that the six-State compact, supplemented by the Swing-Johnson bill, protects the upper-basin States from all appropriation by the lower States in violation of the compact."

That seems to show that students of this problem in Utah do not fear any injury to their water rights by the passage of this bill.

I believe that the present situation in Utah is the result of a misunderstanding which can be ironed out.

This is a wire which was sent from Washington, according to the Salt Lake Tribune:

"California refuses to agree to Leatherwood amendments"——

Mr. HAYDEN. What is the date of that?

Mr. SWING. The date of this paper is January 16, 1926.

"California Representatives refuse to consider amendment to protect Utah's interest in Boulder dam bill. Program is to take bill up in Senate for consideration this coming week and hearing of application for rule in the House has been arranged for the 20th. Utah Legislature should take whatever action it deems proper at once, but not later than January 19."

This paper is signed, "REED, SMOOT, LEATHERWOOD, COLTON, KING."

Later, Senator SMOOT is reported to have received a telegram from President Irvine of the Utah Senate, asking:

"Do you recommend we pass this bill under suspension of the rules Monday?"

Then a little further down it refers to the answer from Senator SMOOT:

"Senator SMOOT, after consultation with other members of the Utah delegation, replied:

"'All we want is repeal of the six-State compact. The Auerbach bill is all right for our purpose. Pass bill Monday.'"

As I say, that must be the result of a misunderstanding.

Mr. RAMSEYER. Is it not true that right now Utah is standing on the seven-State compact? Their ratification of the seven-State compact stands?

Mr. SWING. Yes. But what I want to say is that there was never any amendment for the protection of the State of Utah water rights presented to me or any other members of the California representation that I have known of or heard of at all. Nor was any such amendment rejected by the irrigation commission. I never knew of the point which they have in mind until Mr. COLTON brought it out yesterday. While I think the point which Mr. COLTON made is covered in the bill, I am perfectly ready and willing to have an appropriate amendment along that line presented and adopted in the bill. Mr. COLTON says he thinks that will satisfy the majority of the people in his State.

Mr. BANKHEAD. What was that proposed amendment?

Mr. SWING. The proposed amendment was to the effect that "Any leases, licenses, permits, etc., issued by the Federal Water Power Commission, shall be governed by the terms of this Colorado River compact." The amendment would be to make the provisions of this bill control the Federal Power Commission in any license or permit issued by that commission on the Colorado River; and prevent them from issuing anything which would initiate an adverse water right at variance with the terms of the Colorado River compact.

Mr. COLTON. May I interrupt? I think the gentleman has covered it. My point is that there would need to be a specific amendment to the power act to compel that commission to act under the terms of the Colorado River compact, in granting applications on that river. I do not think this bill, by implication, would make that amendment.

Mr. SWING. I agree that such an amendment, specifically amending the water power act for the purpose of covering that situation here, would be all right.

The CHAIRMAN. Does not this bill take this property entirely out of the control of the power commission?

Mr. SWING. It takes this one project on the Colorado River out from the power commission, but not from under the water power act. All of the rules of the water power act have been adopted and made applicable to this project. I want to hurry on, because the next question is an important one.

How is Arizona injured in any way by this project?

The site to be occupied is one that Arizona has repeatedly declared that she does not want, and which is not a part of her plan for future development. Bridge Canyon site, a little farther up, which she thinks is vital for her future development, is what she wants. As a result of that evidence coming out before the Senate committee, at the suggestion of one of the Senators it was agreed, and has been made the plan of the Reclamation Service, that this dam shall be only 550 feet high. The 605-foot dam originally planned would have flooded the Bridge Canyon site. This brings the water well this side of that site and leaves that site for Arizona's future development.

Under this bill she is not punished, because her citizens are at liberty to contract with the Secretary of the Interior on identically the same terms, at identically the same rates for both water and power, as are the citizens of Nevada and the citizens of California. It is true, this project does not reclaim new land in Arizona. Neither does it reclaim new land in California or Nevada. All of that is left for some future determination by Congress when it thinks the time is appropriate.

Arizona's position with reference to the project is not the same as the upper-basin States. The upper-basin States have said "We desire the reservation of enough water to guarantee future reclamation within our States." As I have already pointed out, California stands ready, and has all along stood ready, to accord to Arizona whatever amount of water is reasonably determined to be needed, not only for her present but also for her future development; and power the same way.

I may say in passing that the State commissioners out there have reached a tentative agreement for virtually a 50-50 division of the waters of the Colorado River system between the two States. Arizona is to have all of the water that flows into the Colorado River from her tributaries, estimated at between three and five million acre-feet per year. In addition to that, she is to have one-third of the water which is contributed to the river by Utah, Colorado, and Wyoming. It amounts to about a 50-50 division of the water in the system, where California and Arizona are interested.

The trouble is not the question of water, which can readily be settled; not the question of power, because they can have it under the bill. The question is as to whether or not Arizona shall be given the right to tax and collect royalty or revenue from a Government project.

Arizona complains that she gets no special benefit under this bill. Neither did California get any special benefit when the Salt River project was authorized for Arizona. We can not, as national legislators, take that attitude: Because a bill does not do something for my State I will not favor it.

Neither when the San Carlos project was up at the last session of Congress did California get any benefit, but we did not object.

I have letters from the Reclamation Service of the Western States as to the amount Arizona has contributed to the reclamation fund; the amount that Congress has expended in that State out of the reclamation fund. Arizona stands at the head of all the Western States, having paid in $2,181,539.75, and benefited to the extent of $18,543,038.89—having gotten back from the Government over what it put into the reclamation fund 849 per cent.

After that it does not lie in Arizona's mouth to complain that she is entitled to special benefits if the Government should be about to do something for California, for California is at the bottom of the list, having gotten back only 59 per cent of what she put in. Since these figures were compiled the $5,000,000 San Carlos project was also handed by Santa Claus to the State of Arizona.

Mr. MICHENER. You refer to Congress as Santa Claus?

Mr. SWING. I think Arizona ought to consider that the Government has been very generous to her.

The CHAIRMAN. And California supported that, as I remember.

Mr. SWING. Yes, sir; we have not assumed the attitude of retaliation.

Mr. GARRETT. Is that due to the fact that there has been so much more of the publicly owned lands irrigated in Arizona than in California?

Mr. SWING. Yes, sir. More projects have been created in Arizona than any other State.

Mr. GARRETT. Is that due to the fact that it is public land?

Mr. SWING. Why, Nevada has proportionately as much, if not more public land.

Mr. GARRETT. But it is the public lands that have been really irrigated?

Mr. SWING. I think so. Now, just one step further. Arizona is making a great point here that one end of the Boulder Dam is to be in Arizona. When the Yuma project was undertaken and planned, one end of the dam was put in California. Well, what about the rights of the State of California? Does that depend upon whose ox is being gored? It is all right to build a dam and rest one end of it on California's soil when they want to develop the great wonderful Yuma Valley in Arizona, but it is all wrong to build a project partly for California and rest one end of the dam upon Arizona soil.

Also, 16 or 17 miles of the Yuma main canal is on California soil. Also the power plant in connection with that project is built at Siphon Drop, on California soil, and nine-tenths of it all is for the benefit of the State of Arizona. That is all right. There is no question about that. They are willing to take, but they are not willing, in the spirit of friendly reciprocity, to give. When our needs are great, and 60,000 American citizens in Imperial Valley are in danger of losing everything they have, they stand and quarrel and say, "This bill shall not pass until we are paid money."

When did it become the national policy to have the Congress give its approval to have the citizens of one State pay the taxes of the citizens of another? And yet the amount they are to-day demanding as royalty off of this project amounts to pretty near $5,000,000 a year, which is as much as that State is now expending in current expenditures for its State activities. With three additional dam sites in Arizona totalling 4,000,000 horsepower, if this precedent is established, of taxing $5 per horsepower per year, will give them $20,000,000 collected from some other State, so that their citizens not only will not have to pay any taxes, but the State can even declare dividends in favor of people who will come there and live.

The principal concern of the Government if it goes into this project will be to get its money back. The Federal Government can not be expected to collect revenue from the project and then turn it over to the State of Arizona while the project is still indebted to the Government, and yet that is exactly what Arizona is demanding.

Now, Mr. HAYDEN said that his principal objection was Mexico and the possibility of cotton being developed in Mexico with water from this dam. I will tell you what their objection is. I have hinted at it. I read from the Tucson (Ariz.) Citizen of January 7, 1927:

"Reid and McCluskey (they were Arizona's representatives to negotiate a treaty with California) last night divulged that they believed some advantage had been gained by Arizona in the jockeying around that has been going on for the past several months.

"They were unanimous in their opposition to the Swing-Johnson Boulder Canyon dam bill, asserting that until this bill was defeated Arizona had little chance to consummate a favorable agreement with California."

Then follows a list of things that they ought to do at once, such as:

"Send a resolution to Congress condemning the Swing-Johnson bill and asking that it be not passed."

But especially notice this:

"Enunciate the right of Arizona to tax hydroelectric power."

Mr. HAYDEN frankly, in his minority report, states the same thing:

"Arizona asks the right to collect each year from any hydroelectric power produced by the Federal Government on the Colorado River a sum equal to the taxes which would be paid if the same site were owned and developed by private enterprise."

This proposal can not be compared to payments made by the Government to States on incomes derived from coal, oil, gas, and timber. These are exhaustible resources, present property within the State, which are depleted and consumed by use. Not so hydroelectric power.

In the newspaper statement there is no suggestion that Arizona is afraid of Mexico. What is the situation with reference to Mexico? Unless the lower river basin is to be abandoned, and that includes the Yuma Valley as well, a flood-control dam must be built. All engineers agree that, to adequately control floods alone, with everything else left out of consideration, they must have a reservoir of a capacity of not less than 8,000,000 acre-feet, because floods of 11,000,000 acre-feet have passed that point in a period of 60 days. If you use such a reservoir as a pure flood-control dam, how will you have to operate it? You will fill it up when there is lots of water in the river, and you will let it out when there is little in the stream. Where does it go? It has to flow to Mexico. And you by the operation of your flood dam have double the low flow of the stream. One million acres will only require 5,000,000 acre-feet of water to irrigate. You will furnish them with 8,000,000. If you are going to solve the flood-control problem alone, you are going to give Mexico that much water. Therefore, the thing Arizona fears can not be effected by a compact with California. It can not be effected by a pure flood-control dam as compared with a high dam, because a low dam would give them more water than they need to reclaim their 1,000,000 acres of land.

The CHAIRMAN. Do you not have to operate a big dam on the same principle as a low dam?

Mr. SWING. I am going to come to that. The catch is not in the dam, high or low. It is the all-American canal that must be counted upon to control the situation. That, with the dam, makes it absolutely certain that the Government can control the flow of that stream. Why do they not put more land in Mexico in cultivation to-day? Because the river fluctuates. With the dam and canal we can also cause the river to fluctuate. Under the present system with the canal running through Mexico, under conditions prescribed by the Mexican Government, which they are enforcing, they are entitled to reclaim as much land in Mexico as is cultivated in Imperial Valley. This is their own private arrangement, not under any treaty with the United States, but by contract or franchise issued by the Mexican Government to a Mexican private corporation—they are entitled to reclaim as many acres as we do as long as our water comes through Mexico. They can go on right now and put in 200,000 more acres in Mexico if we do not build the all-American canal. But, when you have built that canal on our own soil, then the fluctuation that is in the river to-day can be artificially restored by use of the dam and the all-American canal, passing surplus water into the Salton Sea instead of the Gulf of California. While you could not turn all the surplus into Salton Sea you could do that at intervals and over sufficient lengths of time to prevent the increase of any additional area, whether for cotton or anything else in Mexico. The cutting off of water for 10 or 15 day periods during June, July, and August would totally destroy any crop from which that water had been withdrawn. This would give our Government for all practical purposes complete manual control of the river.

Mr. HAYDEN says a treaty is what is needed, and so it is. The all-American canal is one thing that can bring it about. It is the one way in which you can say to Mexico:

"We have control of this river. We want to do the right thing by you. If you refuse to negotiate with us, we will be compelled to exercise such means as we have to bring to your attention the need and necessity of a treaty."

Mr. HAYDEN thought there ought to be a notice to Mexico inserted in the bill. There is just such a notice in the bill. You can not simply write in a bill, "We shall never give Mexico any water." That is foreign affairs, subject for a treaty. It is not the prerogative of Congress. It belongs to the executive department. We have done as much as can be done in this bill in a legislative way in declaring in the first sentence that the object and purpose of the project is "for the providing for storage and delivery of the waters thereof for reclamation of public lands and other beneficial uses within the United States." In what plainer language can we serve notice on Mexico than to say: "The water we are storing here is for beneficial use within the United States"?

Of course, a treaty would override that, and we would bow in acquiescence to its terms—but until a treaty is negotiated we had said that water stored in Boulder dam is dedicated to use within our own country.

As to the Mexican situation I want to read from a statement of Senator Winsor, at that time president of the senate of Arizona and now president of the senate. I thank Mr. HAYDEN for putting this in the hearings:

"Neither has Arizona anything to fear in the matter of a division of the water available for use by the States of the lower basin. The suggestion has been offered that California might "hog it," but the suggestion must have been uttered thoughtlessly, or entirely without knowledge of the facts. If California were disposed to "hog" the waters of the lower basin, and physical conditions were such that it might avail itself of their benefits, Arizona, by this compact, loses no legal right or power she now possesses to prevent aggressions at that State's hands. But the fear expressed is entirely swallowed up in the certainty that there will be no shortage. California will not "hog" the water, for she has no place to put it. Her present needs and ultimate possibilities of reclamation from the Colorado are well established and present no menace to Arizona's hopes or aspirations." (Hearings, p. 269.)

My good friend Mr. Heard, who is here as Governor Hunt's representative, at that time was opposing the governor, but he has been won over to the governor's view since. At that time he stated what I think is sound. This is an editorial published in his paper, the Arizona Republican, and it sounds statesmanlike to me:

"Since assuming the position of spokesman for the opponents of the compact, Governor Hunt professes to fear the rapacity of California; he professes to fear development to the advantage of American interests in Mexico and the founding of an Asiatic colony; professes to fear disaster to Arizona from the construction of a dam at Boulder Canyon, in the event of ratification of the compact. These fears are without merit in so far as they bear any relationship to the compact. The broadcasting of them has all the signs and sounds of propaganda."

Mr. HAYDEN. Would you be kind enough to give the dates of the letter and editorial?

Mr. SWING. October 24, 1924.

On the question of Arizona's rights in and to the water of the river, let me say that the Government is not undertaking to create or to assert or to deal in or to dispose of water rights. It proposes to go in and construct a dam and store water for reasons which have been set out, and then it turns the water loose. The Secretary's power, as given by this act, is not to sell water. The act says "The Secretary of the Interior is hereby authorized, under such general regulations as he may prescribe, to contract for the storage of water." Whose water? It does not say. It might be a community like Imperial Valley that has already acquired a water right, and wants its water stored, or it may be some one who hereafter will acquire a water right, but that right will not be acquired under this bill; not from the United States Government. He will acquire his water right, if he acquires one, from the State and under the laws of the State, in which he puts the water to a beneficial use. There is nothing in this bill which puts the Government in conflict with the water laws of Arizona or Utah or any other State. As a matter of fact, the reclamation law is adopted by section 13 of this bill, and section 8 of the reclamation act says that what the Government does must not be in conflict with the water laws of the States, so there can be no violence done State laws on this score.

If the water is used in Arizona, the water right must be acquired under the laws of Arizona; if in Nevada, under the laws of Nevada; if in California, under the laws of California.

On the question of whether Arizona owns the river bed, I hold that is immaterial. However, there is excellent authority that the United States Government owns it.

Mr. HAYDEN has made this so much plainer than I can that I want to quote him:

"But referring to the much-discussed Boulder Canyon and Black Canyon Dam, the fact that these power sites are within this State has led a number of people to assume that they belonged to the State and that the State alone could determine how they shall be utilized. Upon being informed for the first time that such is not the case, that the title to all the power sites on the Colorado River is in the United States, it is but natural that some citizens of this State should cry out that Arizona has been robbed by the Federal Government of the greatest of her natural resources. That the title of the United States to those power sites is perfectly good can be determined by an examination of the facts of history." (Hearings, 68th Cong.)

He starts in with the Indians and traces title through the Crown of Spain, the Republic of Mexico, to the United States; the formation of a territory——

Mr. BANKHEAD. When and where was that statement made?

Mr. SWING. It was made before the Kiwanis Club of Phoenix, Tuesday, June 19, 1923, but the law has not been changed since that time. The statement was inserted by Mr. HAYDEN in the hearings on my bill.

He goes on down and then says:

"No one who is familiar with the law and decisions will deny that the power sites belong to the United States Government."

I have here and can file with the committee a long brief written by two lawyers in Arizona, one a Republican and one a Democrat, I understand, John Mason Ross and James S. Casey, not for the use of anybody in California, but written during the late political campaign in the State of Arizona, in which it is pointed out that the United States Government, while Arizona was a Territory, owned all the land, including the bed of the river, and when it admitted Arizona as a State it withdrew and specifically reserved that land for its own use. According to this brief, under the provisions of the enabling act and subsequently under the constitution of the State of Arizona, these power sites belong to the United States Government. And, Mr. HAYDEN says in his very excellent article:

"The fact that a number of Americans moved from other parts of the United States to Arizona and that they were living there at the time the Territory of Arizona became a State could not automatically invest them with title to all the land within the State. The only way that the title to the public lands could be transferred from the people of the United States to the people of Arizona was by an act of Congress. No such grant was made, but, upon the contrary, Congress provided as a condition of admission into the Union that the people of this State must declare by an irrevocable ordinance included in the State constitution that they forever disclaim all title and interest in the public lands. No protest was made against retention of title by the United States to all the power sites on the public domain along the Colorado River. We made open acknowledgment of Federal ownership and did so willingly." (Hearings, 68th Cong.)

Now, are we violating any right of Arizona if the United States Government should as a relief measure exercise its prerogative and build a dam that is vitally necessary for the protection of some of its citizens on a site which it owns?

Suppose it did not own it and it is a navigable stream, as evidently is conceded by both parties, majority and minority, in legal technology at least—Mr. Carpenter has given in the hearings at pages 141, 142, 143, and 144 as clear, as brief, and as succinct a statement as to the rights of the United States Government to build a dam, not primarily for navigation. Even if it is secondarily for navigation, it has the power to do so. As was said by—

"Mr. CARPENTER. I take it that improvement of navigation is a purpose, although, perhaps, not the primary purpose. It is much similar to Federal aid to public roads. The primary purpose of those roads is to handle ordinary traffic, principally local traffic, the construction of post roads a secondary consideration. The subject of post roads is linked up with this.

"So here. If it be true that the Colorado River is navigable, as you contend it to be or to have been, then the right of Congress to regulate commerce and to improve navigation can not be questioned, and the matter of whether such regulation is the primary or the secondary purpose is probably a matter for the Congress to determine and may be held to be of no consequence."

Mr. GARRETT. The compact itself, though, recites that it was not navigable.

Mr. SWING. No, sir; you are mistaken, I believe. I will read you that section, because Mr. Hayden tried to make that point with Mr. Carpenter:

"Mr. HAYDEN. Article 4 (a) of the Colorado River compact reads as follows:

"'Inasmuch as the Colorado River has ceased to be navigable for commerce and the reservation of its waters for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural, and power purposes.'

"Mr. CARPENTER. The compact does not declare that the river shall be abandoned for navigation. It merely declares that navigation shall be made subservient, not destroyed. Navigation may still be carried on to a greater or less degree as future conditions may warrant. Nothing is said about abandoning or destroying navigation."

The United States therefore has full power to do this beneficial act, very much needed for these lower States, because the Colorado River is at least technically a navigable stream.

Mr. GARRETT. The compact says this, article 4:

"Inasmuch as the Colorado River has ceased to be navigable for commerce and the reservation of its waters for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient."

That is a recital of facts. Navigation is always a question of fact.

Mr. SWING. Yes; and there does not have to be a boat sitting on the water to make it navigable. If it is capable of being navigated, that is a question of fact. You do not actually have to have boats there. You understand that, of course?

Mr. GARRETT. Of course, I understand that.

Mr. SWING. Boats have been there, and there will be boats there again after this structure is built.

With reference to the flood situation, I have here a letter and a telegram handed to me by Colonel Fly, of Yuma, Ariz., who is very sick and can not be here to-day. One is from the board of governors of the Yuma project, earnestly asking that this bill be passed for their protection. I will insert it without reading it.

"Whereas the Yuma project is in the territory most vitally interested in the pending legislation affecting Colorado River control; and

"Whereas the general plans for the control of that stream, as proposed by the Swing-Johnson bill now before Congress, are for flood and silt control so necessary to us; and

"Whereas, by reason of our location and circumstances and our danger from floods, and by reason of the vital interests of all our interests and property, we know the conditions confronting us: Therefore be it

"*Resolved by the board of governors of the Yuma County Water Users' Association*, That we heartily approve the plan of control in manner provided by the Swing-Johnson bill. This approval has no political slant, does not object to any reasonable changes which do not affect the spirit of the bill, and is solely actuated by our intense desire to assure our national legislators that we consider the matter of the speedy adoption of this bill to be of supreme importance to the entire Yuma project and all the people living here.

"*Resolved further*, That copies of this resolution be sent to our Senators, Congressmen, the Bureau of Reclamation, and to the Governor of Arizona and to the local State senator and representative; and that our State officials be requested that every effort be made by Arizona officials and representatives to regard as of the highest importance the making of such concessions and of such conciliatory actions as will in every way encourage the enactment into law of said bill at the present session of Congress."

The foregoing resolution was adopted at a meeting of the board of governors of the Yuma County Water Users' Association the 4th day of December, 1926; and is shown on the minutes of said meeting as above set forth.

O. W. INGHAM, *Secretary.*

The other is a telegram from the Mohave Chamber of Commerce saying that they ask the Swing-Johnson bill be passed. It is as follows:

KINGMAN, ARIZ., *January 19, 1927.*

Col. B. F. FLY,

Continental Hotel, Washington, D. C.

DEAR MR. FLY: There seems to be a united effort on the part of a few to defeat the Swing-Johnson bill, which is now in the hands of the Rules Committee for a hearing Thursday. We stand bitterly opposed to this effort and do assure you that such action on their part does not coincide with the opinions and earnest wishes of our people of Mohave County as well as thousands of good citizens of this State, who feel that political and sectional issues have clouded the situation to the detriment of Arizona and the Southwest. Knowing the Colorado River situation as we do here, it causes us to beg for immediate protection by flood control of its waters for thousands of lives and millions of dollars of valuable property, as future delay truly means increased danger. We earnestly indorse your continued support of the Swing-Johnson bill. Without further obligation to us we respectfully request you to represent us as being in favor of this bill, in order that the much needed protection might become a reality in the near future.

Very truly yours,

MOHAVE COUNTY CHAMBER OF COMMERCE,
W. J. BLACK, *President.*

Mr. RAMSEYER. What State?

Mr. SWING. Arizona, both of them.

Mr. Chairman, my time has expired, and I will not myself make any effort to plead for my people. I would probably be considered to be biased. I have lived there 18 years in the Imperial Valley. I know the valley and I know the fear that constantly hangs over these people, of destruction by flood. I will content myself by simply reading a cold, analytical statement of a man of Arizona, who could not be held to be biased in favor of our people. Prof. George Smith, of the University of Arizona, in University Bulletin No. 98, published February 25, 1922, says:

"The flood protection is the main incentive which is spurring many agencies to action. The people of the Imperial Valley, for 16 years, have been fighting a defensive battle against the Colorado, sometimes gaining, sometimes losing, but in the main losing. They can not hold out for many more years. At least once every year, in June, and sometimes at other seasons, the river threatens to change its course from the Gulf of California to the Imperial Valley, as it did in 1905. The only protection at present is the system of levees, called respectively the first, second, and third lines of defense. Frequently the floods break through the first and second lines and reach the third line. Each year the river, through silt deposition, builds up that part of the alluvial fan in front of the levees, in some years as much as 4 feet, and each year the levees must be raised an equal amount. Over one-quarter of a million dollars is expended each year by the farmers of the Imperial Valley in this work. The limit will be reached soon."

Now, may I quote again from Mr. HAYDEN, who himself is very familiar with this situation. He refers to the fact that the Gulf of California once extended into the interior, covering what is now Imperial Valley. He says:

"Undoubtedly the Colorado River has broken into and filled the Imperial Valley a number of times during past geological ages. In 1905 and 1906 the river broke into the valley and threatened its destruction. When the river reached the Salton Sink, it began to cut a channel nearly a half mile wide back through the soft soil, which can be seen to-day as a great scar which extends through the length of the Imperial Valley. With a fall of over 200 feet in less than 100 miles, the Colorado washed out this deep channel at the rate of half a mile a day, and if the break had not been stopped the cutting would have continued until the Yuma reclamation project in Arizona was reached. Every engineer who has studied the situation says that if another break should occur, which could not be closed, that the Colorado would begin where it left off in 1906 and cut its way back to the syphon at Yuma and to the Laguna Dam, and that both of those structures would be destroyed.

"The first effect of such a disaster would be to dry up and turn back to the desert again both the Imperial Valley and the lands now under cultivation at Yuma, because the river would be running in the bottom of a deep gorge and there would be no way to raise the water to the level of the existing canal systems. The engineers also agree that sooner or later that calamity is bound to occur, because the Colorado is continually raising its delta by the deposit of over 100,000 acre-feet of silt each year. The river can not continue to run on top of a ridge. It must break over some time.

"The only way that such a disaster can be prevented is to build a great dam in the canyon of the Colorado which will be high enough to create a reservoir of a size sufficient to store the entire flow of the main river for over a year. Such reservoir sites have been found, and the question now is to determine which site is the best and how the dam shall be constructed. It is upon this question that opinions differ, but a solution must be found and the work commenced without delay. If nothing is done, California will be the first to suffer, but Arizona can not escape sharing the tremendous loss of life and property which is sure to come if we do not exert every effort to control the floods of the Colorado River."

Gentlemen, I bring this to your doorstep. I place it before you as a matter of extreme urgency. When we in the lower basin have to face that river year after year we can only wonder whether the break will come that year or the next. It will take seven years to build this dam, but in three years it will begin to exert a controlling influence. It can be built without the loss of a single dollar to the United States Government. It is not true that if the cost should exceed the estimate that the Government would lose. It is not limited to collecting $125,000,000. These contracts are not limited as to time. They provide for so much per horsepower; so much per second-foot of water. The Government must be repaid in full. The plan of the Secretary of the Interior calls for it being repaid in 25 years. If the Government engineers are 100 per cent wrong, the Secretary would still have time in which to complete the return of the money to the Government and still comply with the terms of the bill, but if he did not, at the end of 50 years the Government owns this dam in perpetuity and could continue to collect revenue until it is reimbursed. These contracts, however, run for 50 years, and in that time they will have returned, according to the rate which the Secretary has announced he intends to charge, at least twice as much as the dam would cost.

I submit the matter to your thoughtful and earnest consideration.

SENATE ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled Senate bill of the following title, when the Speaker signed the same:

S. 3928. An act authorizing the designation of an ex officio commissioner for Alaska for each of the executive departments of the United States, and for other purposes.

ADJOURNMENT

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned, under the order previously made, until to-morrow, Sunday, February 6, 1927, at 11 o'clock a. m.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, February 7, 1927, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Second deficiency bill.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend the Federal farm loan act (H. R. 15540).

COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To secure Sunday as a day of rest in the District of Columbia (H. R. 7179).

To amend an act entitled "An act to provide for the examination and registration of architects and to regulate the practice of architecture in the District of Columbia," approved December 13, 1924 (H. R. 15343).

COMMITTEE ON INSULAR AFFAIRS

(10.30 a. m.)

To clarify and amend existing laws relating to the powers and duties of the auditor for the Philippine Islands, and for other purposes (H. R. 16587).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To amend the interstate commerce act as amended in respect to tolls over certain interstate bridges (S. 3889).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

943. A communication from the President of the United States, transmitting supplemental estimates of appropriations under the legislative establishment, United States Senate, for the fiscal year 1927, in the sum of $6,000 (H. Doc. No. 687); to the Committee on Appropriations and ordered to be printed.

944. A communication from the President of the United States, transmitting supplemental estimates of appropriations under the legislative establishment, House of Representatives, for the fiscal year 1927, $3,776.50, and for the fiscal year 1928, $2,500; in all, $6,276.50 (H. Doc. No. 688); to the Committee on Appropriations and ordered to be printed.

945. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Commerce, for miscellaneous items of the Bureau of Fisheries, for the fiscal year ending June 30, 1927, to remain available until June 30, 1928, amounting to $85,000 (H. Doc. No. 689); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. 4027. An act to authorize the construction of three cottages and an annex to the hospital at the National Home for Disabled Volunteer Soldiers at Marion, Ind.; without amendment (Rept. No. 1990). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 9009. A bill to provide for the acquisition of a site and the construction thereon of a fireproof office building or buildings for the House of Representatives; with amendment (Rept. No. 1991). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on the Public Lands. H. R. 16173. A bill to add certain lands to the Missoula National Forest, Mont.; with amendment (Rept. No. 1992). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (S. 4943) for the relief of George H. Cecil; Committee on Claims discharged, and referred to the Committee on Agriculture.

A bill (H. R. 15176) granting a pension to John Charles Inglee; Committee on Invalid Pensions, discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KINCHELOE: A bill (H. R. 16970) to extend the time for constructing a bridge across the Ohio River approximately midway between the city of Owensboro, Ky., and Rockport, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. DOMINICK: A bill (H. R. 16971) granting the consent of Congress to the South Carolina and Georgia State highway departments, their successors and assigns, to construct, maintain, and operate a bridge across the Savannah River; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKER: A bill (H. R. 16972) to provide for the equitable distribution of fuel during emergencies; to the Committee on Interstate and Foreign Commerce.

By Mr. VINSON of Georgia: A bill (H. R. 16973) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. WURZBACH: A bill (H. R. 16974) to amend an act entitled "An act to establish a department of economics, government, and history at the United States Military Academy at West Point, N. Y., and to amend chapter 174 of the act of Congress of April 19, 1910, entitled 'An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1911, and for other purposes,'" approved June 8, 1926; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 16975) to provide for continued hospitalization at Saranac Lake, N. Y., of certain beneficiaries of the Veterans' Bureau; to the Committee on World War Veterans' Legislation.

By Mr. PRATT: A bill (H. R. 16976) to provide for continued hospitalization at Liberty, N. Y., of certain beneficiaries of the Veterans' Bureau; to the Committee on World War Veterans' Legislation.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of Arkansas, relating to the lease and private operation of the Muscle Shoals project for preservation of national defense, the production of fertilizer, and the use of electric power; to the Committee on Military Affairs.

Memorial of the Legislature of the State of New Jersey, favoring a bill to amend the postal laws providing for admission of disinfectants, fungicides, and insecticides to the mails when packed in container specified by the Postmaster General; to the Committee on the Post Office and Post Roads.

By Mr. McMILLAN: Memorial of the Legislature of the State of South Carolina, providing for the retirement of disabled World War emergency officers; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 16977) granting an increase of pension to Kate E. Ray; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 16978) granting an increase of pension to Orinda Carson; to the Committee on Invalid Pensions.

By Mr. BAILEY: A bill (H. R. 16979) granting an increase of pension to Mae E. Garrison; to the Committee on Pensions.

By Mr. BEERS: A bill (H. R. 16980) granting an increase of pension to Evaline Andrew; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 16981) for the relief of Homer C. Parker; to the Committee on Military Affairs.

By Mr. ESTERLY: A bill (H. R. 16982) granting an increase of pension to Aravina M. Koons; to the Committee on Invalid Pensions.

By Mr. McDUFFIE: A bill (H. R. 16983) for the survey of the Tombigbee River between Locks 1 and 2 for flood control; to the Committee on Flood Control.

Also, a bill (H. R. 16984) for the survey of the Tombigbee River and its tributaries for flood control; to the Committee on Flood Control.

By Mr. SEGER: A bill (H. R. 16985) granting an increase of pension to Dora Emmens; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 16986) for the relief of Bertha O'Donnell; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 16987) granting an extension of patents to Simon Hymes; to the Committee on Patents.

By Mr. WAINWRIGHT: A bill (H. R. 16988) authorizing William M. Chadbourne to accept a decoration from the King of the Serbs, Croats, and Slovenes; to the Committee on Military Affairs.

By Mr. WOLVERTON: A bill (H. R. 16989) granting an increase of pension to Rebecca A. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16990) granting an increase of pension to Mary E. Neff; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 16991) granting a pension to Edward W. Reichelt; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6113. By Mr. ANTHONY: Petition of citizens of Topeka, Kans., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

6114. By Mr. BACHMANN: Petition of Thomas J. Cooper and other good citizens of Marshall County, W. Va., urging immediate action on the Civil War pension bill; to the Committee on Invalid Pensions.

6115. By Mr. BLOOM: Petition of International Longshoremen's Association, requesting legislation granting compensation to longshoremen at this session of Congress; to the Committee on the Judiciary.

6116. Also, petition of women's committee of the George Washington-Sulgrave Institution, protesting against any reduction of appropriations and forces of our Army and Navy as nullifying the 1920 national defense act and the 5-5-3 naval ratio; to the Committee on Appropriations.

6117. By Mr. BRIGHAM: Petition of voters of Cambridge, Vt., requesting passage of legislation favorable to relief of veterans and widows of the Civil War; to the Committee on Invalid Pensions.

6118. By Mr. CAMPBELL: Petition of citizens of Carnegie, Pa., urging immediate passage of legislation providing increase of pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6119. By Mr. ROY G. FITZGERALD: Petition of 60 citizens of Dayton, Ohio, protesting against the passage of bills for compulsory Sunday observance and other bills of religious nature; to the Committee on the District of Columbia.

6120. Also, petition of the House of Representatives of the State of Oklahoma, urging passage of the Fitzgerald bill (H. R. 4548) for retirement of disabled emergency Army officers of the World War; to the Committee on Rules.

6121. By Mr. GALLIVAN: Petition of Philip Stockton, president Old Colony Trust Co., Boston, Mass., vigorously opposing enactment of the McNary-Haugen farm bill; to the Committee on Agriculture.

6122. By Mr. GILBERT: Petition of citizens of Adair County, Ky., to increase pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6123. By Mr. HADLEY: Petition of a number of voters of Marysville, Wash., urging further relief for Civil War veterans and widows; to the Committee on Invalid Pensions.

6124. By Mr. HAUGEN: Petition of 13 voters of Nashua, Iowa, urging that immediate steps be taken to bring to a vote a Civil War pension bill for relief to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

6125. By Mr. HAYDEN: Petition signed by 40 citizens of Light, Ariz., urging that immediate steps be taken to bring to a vote a Civil War pension bill carrying rates proposed by the National Tribune; to the Committee on Invalid Pensions.

6126. Also, petition signed by 141 citizens of Douglas, Ariz., urging that immediate steps be taken to bring to a vote a Civil War pensions bill carrying rates proposed by the National Tribune; to the Committee on Invalid Pensions.

6127. Also, petitions signed by 147 citizens of Phoenix, Ariz., urging that immediate steps be taken to bring to a vote a Civil War pension bill carrying rates proposed by the National Tribune; to the Committee on Invalid Pensions.

6128. By Mr. HILL of Washington: Petition of Mrs. R. A. Brewer and 58 others, of Spokane, Wash., urging immediate passage of legislation to increase pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6129. Also, petition of J. W. Wright and 22 others, of Spokane, Wash., urging immediate passage of legislation to increase pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6130. Also, petition of L. B. Apley and 103 others, of Spokane, Wash., urging immediate passage of legislation to increase the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6131. Also, petition of Martha J. Ricks and four others, of Verndale, Wash., urging immediate passage of legislation to increase pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6132. Also, petition of H. R. Bergman and 88 others, of Elk, Wash., urging immediate passage of legislation increasing pensions of Civil War Veterans and widows of veterans; to the Committee on Invalid Pensions.

6133. Also, petition of Elizabeth Cochrane and 60 others, of Hillyard, Wash., urging passage of legislation to increase pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6134. By Mr. WILLIAM E. HULL: Petition of R. G. Harms et al., recommending the passage of the Elliott pension bill for the increase of Civil War soldiers' pensions; to the Committee on Invalid Pensions.

6135. Also, petition of John Watson et al., recommending the passage of the Elliott pension bill for the increase of Civil War soldiers' pensions; to the Committee on Invalid Pensions.

6136. Also, petition of H. Paul Jones, mayor, et al., recommending the passage of the Elliott pension bill for the increase of Civil War soldiers' pensions; to the Committee on Invalid Pensions.

6137. Also, petition of L. N. Osborne et al., recommending the passage of the Elliott pension bill for the increase of Civil War soldiers' pensions; to the Committee on Invalid Pensions.

6138. Also, petition of J. W. Shores et al., recommending the passage of the Elliott pension bill for the increase of Civil War soldiers' pensions; to the Committee on Invalid Pensions.

6139. By Mr. JOHNSON of Washington: Petition of citizens of Clarke County, Wash., against Sunday legislation; to the Committee on the District of Columbia.

6140. By Mr. KNUTSON: Petition signed by Sarah Garrard and others, of Pinewood, Minn., urging Civil War legislation; to the Committee on Invalid Pensions.

6141. By Mr. LETTS: Petition of W. J. Navin and 59 other citizens of Nichols, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

6142. By Mr. LINTHICUM: Petition of the Barton, Duer & Koch Paper Co., Baltimore, Md.; to the Committee on the Post Office and Post Roads.

6143. By Mr. MORROW: Petition of certain citizens of Albuquerque, N. Mex., indorsing Civil War veterans and widows' legislation; to the Committee on Invalid Pensions.

6144. By Mr. O'CONNELL of New York: Petition of the American Legion, Department of New York, favoring the passage of Senate bill 3027 and House bill 4548 to correct the injustice to disabled emergency Army officers; to the Committee on Military Affairs.

6145. Also, petition of the National Home Study Council, with reference to third-class postal rates; to the Committee on the Post Office and Post Roads.

6146. Also, petition of the International Longshoremen's Association, Buffalo, N. Y., favoring the passage of Senate bill 3170, now on the Union Calendar, and that the Rules Committee report a rule for its consideration at this session; to the Committee on Rules.

6147. By Mr. O'CONNOR of New York: Resolution submitted by the Government Club (Inc.), of New York City, in favor of the maintenance of the Army of the United States in accord with the provisions of the national defense act of 1920; to the Committee on Military Affairs.

6148. Also, resolution passed at the State convention of the American Legion, Department of New York, indorsing the principles of retirement for disabled emergency Army officers as already established for the eight other classes of disabled military and naval officers of the World War and which principles are embodied in Senate bill 3027 and House bill 4548; to the Committee on Military Affairs.

6149. Also, resolution of the board of directors of the New York State Federation of Women's Clubs urging the maintenance of the Army of the United States in accord with the provisions of the national defense act of 1920; to the Committee on Military Affairs.

6150. By Mr. RAMSEYER: Petition of residents of Mahaska County, Iowa, urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and the widows of veterans; to the Committee on Invalid Pensions.

6151. Also, petition of residents of Keswick, Iowa, urging that immediate steps be taken to bring to a vote a Civil War pension bill, in order that relief may be accorded to needy and suffering veterans and the widows of veterans; to the Committee on Invalid Pensions.

6152. By Mr. ROMJUE: Petition of Roxanna Dunn, of Clark County, Mo., requesting legislation granting increased pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6153. By Mr. SINCLAIR: Petition of residents of Lignite, N. Dak., urging the early enactment of the Civil War pension bill; to the Committee on Invalid Pensions.

6154. By Mr. TAYLOR of New Jersey: Petition of sundry citizens of Bloomfield, N. J., urging the enactment of legislation increasing the pension of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6155. Also, petition of sundry citizens of Bayonne, N. J., urging the enactment of legislation increasing the pension of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6156. By Mr. TEMPLE: Petition of United Presbyterian Sabbath School, of Claysville, Pa., in support of the Sunday rest bill for the District of Columbia (H. R. 10311); to the Committee on the District of Columbia.

6157. By Mr. UPDIKE: Petition of Sallie Webster, Merrill E. Wilson, and others, all residents of Marion County, Ind., favoring legislation increasing pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6158. By Mr. VINCENT of Michigan: Petition of residents of Vestaburg, Mich., in behalf of increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6159. By Mr. WASON: Petition of Mrs. Maria W. Baker and eight other residents of Greenville, N. H., urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

6160. By Mr. WEAVER: Petition of citizens of Cherokee County, N. C., for Civil War pension legislation; to the Committee on Invalid Pensions.

6161. By Mr. WILLIAMS of Illinois: Petition of citizens of Clay, Wayne, Edwards, White, Hardin, Gallatin, Saline, Hamilton, Pope, Johnson, and Massac Counties, asking Congress to

pass the Civil War pension bill; to the Committee on Invalid Pensions.

6162. By Mr. ZIHLMAN: Petition of citizens of Oldtown, Md., urging immediate action and support of the Civil War pension bill, providing relief for needy veterans and widows of veterans; to the Committee on Invalid Pensions.

6163. Also, petition of citizens of Hagerstown, Md., urging immediate action and support of the Civil War pension bill to provide relief to needy veterans and widows of veterans; to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES

SUNDAY, *February 6, 1927*

The House met at 11 o'clock a. m. and was called to order by Mr. BRITTEN, Speaker pro tempore.

Dr. B. B. James, of the American University, offered the following prayer:

Assembled here, O God, to pay tribute to those whose lives have been lived in the richness of the memorials of Thy enduring love, we pay grateful testimony to the memorials of labor and of service which have been left behind them by these men whose lives and achievements are cherished by their fellows.

They have passed on in the continuity of spirit into the wider sphere, leaving behind the evidences of lives whose public and private worth contribute richly to the immortality of influence, to which great spirits yield so much.

The reverent tributes which are to be here paid those who have departed from the fellowships of time, that are the portion of all men, have this as their added claim to the lasting regard of their associates: That they built into the fabric of their times, they laid their offerings upon the altar of citizen service, and honored their high public trusts by diligence.

May Thy blessing, Almighty God, be with this gathering of those who knew and loved these men and add Thy sanction to the testimonies they shall offer, in the name of the Lord Jesus Christ. Amen.

By unanimous consent the reading of the Journal of yesterday's proceedings was deferred.

THE LATE HON. CHARLES E. FULLER AND THE LATE HON. WILLIAM B. M'KINLEY

The SPEAKER pro tempore. The Clerk will read the order for to-day.

The Clerk read as follows:

On motion of Mr. MADDEN, by unanimous consent—

"*Ordered*, That Sunday, February 6, 1927, at 11 o'clock a. m., be set aside for memorial services in honor of the late Hon. CHARLES E. FULLER and the late Hon. WILLIAM B. MCKINLEY."

Mr. MADDEN. Mr. Speaker, I present the following resolutions:

The Clerk read as follows:

House Resolution 411

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. CHARLES FULLER, late a Member of this House, and Hon. WILLIAM B. MCKINLEY, late a Senator of the United States from the State of Illinois.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the families of the deceased.

The resolutions were unanimously adopted.

Mr. MADDEN. Mr. Speaker, we are here to-day to express our satisfaction of the life and work and achievements of WILLIAM B. MCKINLEY, who served in this House for 16 years and for 6 years in the Senate, from the State of Illinois.

Senator MCKINLEY'S passing was a shock to everybody who knew him. A silent man through all his life, but a very effective worker—a citizen of distinction, not only in his State but throughout the Nation and the world. The son of a Presbyterian minister, born in Champaign, Ill., buried from the church in which his father preached, and laid away in the little cemetery where his father and mother lie.

Mr. MCKINLEY learned early in his life the need for industry. He soon discovered that success came from work—that work was one of the essential needs of those who would succeed, and he devoted himself to the task of becoming a success. That he did succeed and that he was a success nobody will deny, for the State has produced few men who have achieved as much and have done the good that WILLIAM B. MCKINLEY did.

Consistent in his devotion to education he contributed freely of what he made to every institution of learning which needed assistance. He made no distinction of race or creed in his contributions to the advancement of education in America. The University of Illinois, one of the greatest institutions of learning in America, was the beneficiary of his work and contributions. He gave them of his genius, of his organizing powers, of his money and of his time, without stint. He gave to all the struggling colleges of our State without publicity. His contributions to education, to religion, and to charity were made without advertising. He didn't let his left hand know what his right hand did. He was a benefactor for the good his benefactions did to those who received them and not for the publicity which he received as the result of his benefactions. He lived to do things for the public and for the people he liked. He was not a speech maker—he shunned the limelight, but he was none the less an effective force in shaping the Nation's policies. During the 16 years of his service in the House he was probably as influential as any man here. His word, never profusely given, was always kept. If he believed in a thing he did it. If it did not appeal to him he shunned it. One need but have an intimation from him that he would do what was wanted and it was done. He did not enter into arguments as to why he did it or why he refused to do it. He was a public servant in the truest sense. He was not in public life because he wanted additional power—he was in the service because he wanted to serve.

Senator MCKINLEY built up several tremendous industrial enterprises; he accumulated a large fortune, but no one ever saw him take advantage of that. He considered himself but the trustee of the fortune he made, and as trustee of that fortune he administered the trust to the best advantage of his country.

WILLIAM B. MCKINLEY took a great interest in the World War. He was a man of peace, but he was an American. He wanted to see America supreme. He wanted her to be just and he exercised all the power he had to see that what she did was justly done. I traveled with him over the battle fields during the World War. I saw the solicitude with which he entered upon every phase of the war's activities. I saw the hope that he had for future peace. I watched him develop the organization known as the Interparliamentary Union, of which he became the head and of which he was the head when he died. I saw him build that organization up to a point where it expressed international power in behalf of peace—peace without the surrender of honor. He was a silent, modest, unassuming, great man. I loved him for what he was. I revere his memory. He has passed on from the turmoil of life and he has been handed over to history. He will not be forgotten. His work will go forward. He will be remembered for what he was and for what he did. What he thought and what he said and what he did has been indelibly impressed upon the minds of thousands. They will carry on the ideas that he expressed in life and WILLIAM B. MCKINLEY, through those who still remain, will be planting the seed of patriotism and devotion to the Nation that he so well loved. And so, while we are here to tell the story of his life and his work, we will not mourn, because he would not mourn if he were here to pay tribute to one of his colleagues. He would not want us to mourn for him. While he was here he did his duty—he was happy in the performance of that duty and he passed on across the divide with peace in his mind and love in his heart. And so, as we meet to-day in this Hall, we do so not in sorrow that WILLIAM B. MCKINLEY has gone but in pride that it was our privilege while he lived to know him and associate with him in the great work he had to do and did so well in behalf of the Nation's future.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Speaker, I shall speak very briefly of Senator MCKINLEY as I knew him. I never enjoyed the advantages of a close or an intimate personal relationship with him. I first met him when I came here in 1915 as a Member of the Sixty-fourth Congress. Senator MCKINLEY had been reelected to the House after an absence of two years. The friendship which we then formed grew somewhat closer, I think, in the years that followed than that which generally exists between Members and their colleagues, and it became more firmly fixed as the years passed by.

During the six years he served in the House after I became a Member, and the six years he served in the Senate, I had occasion very often to go to Senator MCKINLEY for help and counsel. He was never too busy to give help freely and